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July 3, 2008 memorandum from Chief Executive Office regarding Single Use Bag Reductuion and Recycling Program - Status Update

May 2, 2008 memorandum from Chief Executive Office regarding Single Use Bag Reductuion and Recycling Program and Expanded Polystyrene Food Packaging Containers - Quarterly Progress Report No. 1

August 13, 2008 memorandum from Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystyrene Food Packaging Containers - Quarterly Progress Report No. 2

February 2, 2009 memorandum from Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystyrene Food Packaging Containers - Quarterly Progress Report No. 4

August 3, 2009 memorandum from the Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystrene Food Packaging Containers - Quarterly Progress Report No. 6

November 25, 2009 memorandum from the Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystrene Food Packaging Containers - Quarterly Progress Report No. 7

February 3, 2010 memorandum from the Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystrene Food Packaging Containers - Quarterly Progress Report No. 8

March 12, 2010 memorandum from the Chief Executive Office regarding Environmental Impact Report for an Ordinance to Ban Single Use Plastic Bags in the County of Los Angeles - Status Update

May 5, 2010 memorandum from the Chief Exeuctive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystrene Food Containers - Quarterly Progress Report No. 9

August 5, 2010 memorandum from the Chief Executive Office regarding Single Use Bag Reduction and Recycling Program and Expanded Polystyrene Food Containers - Final Quarterly Progress Report



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
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WILLIAM T FUJIOKA
Chief Executive Officer

July 3, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM – STATUS UPDATE

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program) and instructed the Chief Executive Officer, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders, including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers, to implement the Program by July 1, 2008.

Your Board also instructed the County Working Group to 1) report back by July 1, 2008 on a plan for integrating convenience stores and other appropriate franchise stores whose cumulative square footage exceeds 10,000 square feet into the Program by July 1, 2009, consistent with the County's adopted goals; and 2) consider the following approaches when verifying the data that will be included in the Disposal Rate Measurement: a manifest system, tipping fees, third-party verification, and County verification and ensure that a draft framework is made available to stakeholders for review prior to adoption.

On May 2, 2008, this Office issued the first Quarterly Progress Report as directed by your Board. The second Quarterly Progress Report, which will be submitted to your Board on August 1, 2008 for the period of May 2008 through July 2008, will include information on the following:

Store Related Efforts

- Program Launch: Distribution of a Single-Use Bag Reduction and Recycling Program Packet to affected stores in the County's unincorporated areas and partner cities that provides information on a menu of store-specific program options and minimum store participation levels.
- Store Database: Compilation of a list of large supermarkets and retail stores subject to the Program in the County's unincorporated areas; and a separate list of stores not subject to the County policy.

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November 16, 2010 memorandum from the Public Works regarding Single Use Bag Reduction and Recycling Program and Expanded Polystyrene Food Containers

- Store Recognition: Submission of a plan for encouraging and acknowledging exemplary participation by individual stores.
- Integrating Convenience/Franchise Stores: Submission of a plan for integrating convenience stores and other appropriate franchise stores.
- Measurement Methodology: Submission of a measurement methodology for monitoring, tracking and evaluating store progress in attaining the Board's policy goals.

Public Education

- Environmental Awareness Message: Submission of an environmental message that would be printed on plastic bags and education materials.
- Public Education Campaign: Creation of a public education campaign that promotes reusable bags and at-store recycling and emphasizes anti-littering.
- Outreach to Cities: Ongoing promotion and outreach to cities encouraging them to participate and join the Program.

Additional Program Components

- Litter Hot Spots: Identification of litter hot spots and development of litter reduction programs.
- Program Expansion: Promotion of recycling markets for single-use bags, maximizing recycled content, and exploring a ban at County facilities.

Legislation Update

- Assembly Bill 2058 (Levine, Brownley, Davis): AB 2058, the County's co-sponsored legislation, recently passed the Senate Environmental Quality Committee and will be heard by the Senate Appropriations Committee.

If you have any questions regarding this memorandum, please contact me, or your staff may contact Burt Kumagawa of this Office at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacountv.gov.

WTF:LS
DSP:BK:ib

c: Executive Officer, Board of Supervisors
County Counsel
Acting Director of Internal Services
Acting Director of Public Works
Director and Health Officer of Public Health
Treasurer and Tax Collector
Sanitation Districts of Los Angeles County



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

May 2, 2008

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From:  William T Fujioka
Chief Executive Officer

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD PACKAGING CONTAINERS - QUARTERLY PROGRESS REPORT NO. 1

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program and instructed the Chief Executive Officer, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders, including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers, to implement the Program by July 1, 2008. The Board further directed staff to provide quarterly progress reports to the Board and interested stakeholders.

In addition, on May 22, 2007, your Board instructed: 1) the Director of Public Works, in consultation with the Director of Internal Services and County Counsel, to investigate the impact of prohibiting the purchase and use of expanded polystyrene food packaging containers at all County facilities, County offices, County-managed concessions, County-permitted events, and County-sponsored events; 2) the Director of Public Works, in consultation with County Counsel, to investigate the feasibility of prohibiting the use of expanded polystyrene food containers at all food service establishments and retail stores in the County unincorporated areas, including recommended changes to the County Code; and 3) the Director of Public Works to enhance the educational and public outreach campaigns to encourage Los Angeles County residents, public agencies, school districts, and cities to utilize environmentally-friendly alternatives to expanded polystyrene.

Since the public policy issues are similar, the Working Group for plastic bags has also assumed the responsibility of investigating the prohibition of expanded polystyrene (EPS - commonly known as Styrofoam™) food packaging containers. Accordingly, quarterly status updates on our efforts to address plastic carryout bags and EPS food packaging containers have been combined to streamline communications.

Plastic Carryout Bags

The Working Group met on March 19, 2008 and April 16, 2008 to work on the various elements of the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program) including:

- Store related efforts including a list of stores subject to the County's Program, a plan for integrating convenience stores and other appropriate franchise stores, and a methodology for monitoring, tracking, and evaluating stores progress in attaining the Board's policy goals.
- Additional program components including outreach to cities, public education, and store recognition programs.
- County ordinances to enforce benchmarks and require an environmental awareness message on plastic carryout bags
- State legislation that would enable the implementation of fees on plastic carryout bags; allocate fee revenues to local governments for litter prevention and source reduction efforts; establish Statewide benchmarks to reduce the consumption of plastic carryout bags and increase at-store recycling of plastic carryout bags; and include an environmental awareness message on plastic carryout bags.
- Lawsuit challenging the City of Oakland's ban on plastic carryout bags.

The status of these Program elements and other current issues that affect the Program implementation efforts is summarized in the attachment.

EPS Food Packaging Containers

A draft report that examines the feasibility of banning EPS food packaging containers at County operations has been reviewed by County departments/agencies and is currently being reviewed by stakeholders. We anticipate forwarding the final report to your Board for consideration, including a recommended action for Board approval, in June 2008.

Each Supervisor
May 2, 2008
Page 3

The draft report recommends prohibiting the purchase and use of EPS food packaging containers at all County operations effective July 1, 2008. Additional recommendations provide County departments/agencies with the following tiered approach for replacing EPS when purchasing food packaging products: (1) maximize the use of reusable/durable goods, and (2) implement the following alternatives in order of priority: biodegradable and paper alternatives, recyclable alternatives, and other non-EPS alternatives. The recommendations include the ability for County departments/agencies to seek waivers to the prohibition in instances where public health and safety is a concern or there are no suitable alternatives; waiver requests would be evaluated on a case-by-case basis.

The Working Group continues to explore opportunities to enhance public education and outreach on alternatives to expanded polystyrene. Public Works has modified its education and outreach campaigns to encourage the use of environmentally friendly alternative to EPS.

If you have any questions regarding this memorandum, please contact me, or your staff may contact Burt Kumagawa of this Office at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacounty.gov.

WTF:LS
DSP:BK:os

Attachment (1)

c: Executive Officer, Board of Supervisors
County Counsel
Acting Director of Internal Services
Acting Director of Public Works
Director and Health Officer of Public Health
Treasurer and Tax Collector
Sanitation Districts of Los Angeles County

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

SINGLE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	BOARD DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	By July 1, 2008	<ul style="list-style-type: none"> Public Works (DPW) is compiling the database of stores. Proposed methodology has been developed and shared with the stakeholders. Evaluating possibility of including credit for bags recycled through curbside programs. Proposed menu has been provided to stakeholders for feedback. Upon establishment of the menu of store-specific programs, minimum store participation levels will be developed for implementation. Proposed environmental awareness messages have been provided to stakeholders for review. Submission of alternative messages from stakeholders has been encouraged.

SUMMARY OF COUNTY EFFORTS TO ADDRESS PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
Additional Program Components <ul style="list-style-type: none"> • Develop a public education campaign to promote reusable bags and at-store recycling. • Develop a Store Recognition Program. • Identifying litter hot spots and developing a focused anti-litter campaign. • Maximize recycled content and promote recycling markets for all single-use bags. • Ban plastic carryout bags at County facilities. • Continue to encourage cities to join Program. 	<p>No specific due dates, however these components of the Program will be finalized by Fall 2008 and will be evaluated/updated as appropriate</p>	<ul style="list-style-type: none"> • Drafted public education campaign shared with stakeholders for feedback. • Developed and distributed a draft program to stakeholders. • Preliminary identification of litter hot-spots requires refinement and verification by DPW. • Strategies will be developed by the County Working Group and reviewed with stakeholders. • Concept introduced by County Work Group for further consideration. • On March 12, 2008, a five-signature letter, program fact sheet, and sample resolution, were sent to all cities inviting them to join the Program. The cities of Azusa, Bell, Hermosa Beach, Pico Rivera, and Signal Hill have adopted resolutions to join the Program, and several other cities are considering such an action.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3% of a benchmark goal and "good faith" efforts have been demonstrated.</p>	<p>By April 1, 2010</p>	<p>County Counsel has not yet commenced preparation of the draft ordinance as it is not required to be drafted until April 1, 2010 as directed by your Board.</p> <p>Implementation of the Ordinance will require California Environmental Quality Act (CEQA) compliance.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	<p>No specific due date</p>	<p>County Counsel has not yet commenced preparation of an ordinance pending development of appropriate messages and pursuit of legislation that would require an environmental awareness message Statewide.</p>

SUMMARY OF COUNTY EFFORTS TO ADDRESS PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>State Legislation to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a point-of-purchase fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis. • Establish statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message be imprinted on each plastic carryout bag, describing the negative impacts of littered plastic carryout bags have on the environment and wildlife, and the need to use reusable bags. 	2008 Legislative Year	<p>County-sponsored AB 2829 (Davis) was considered in the Assembly Natural Resources Committee on April 14, 2008; during the Committee proceedings, an agreement was reached to amend the provisions of AB 2829 into AB 2058 (Levine) and include Assembly Members Davis and Brownley as joint authors.</p> <p>AB 2058 was held in suspense by the Assembly Appropriations Committee on April 30, 2008; the Committee is expected to vote on whether to move the Bill to the Assembly Floor by May 23, 2008.</p>
<p>City of Oakland Lawsuit</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single-use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p>	Ongoing	<p>On April 17, 2008, the Superior Court agreed with the plastic bag industry and ruled that the City's ordinance did not comply with CEQA, thus voiding the City's ordinance. The City is evaluating whether to contest the court's ruling, or pursue completion of the necessary CEQA environmental documentation (however, this process would delay the implementation of the ordinance by at least a year, and may cost upwards of \$100,000 to complete).</p> <p>We will continue to monitor the effort by the City of Oakland and analyze its relevance to the Los Angeles County Single Bag Recycling and Reduction Program.</p>

SUMMARY OF COUNTY EFFORTS TO ADDRESS PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS

EXPANDED POLYSTYRENE ("EPS" - COMMONLY KNOWN AS STYROFOAM™) FOOD CONTAINERS		
PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>Phase 1 – Banning EPS Food Containers at County Operations</p> <p>In April 2008, a draft staff report was forwarded to all County departments/agencies for review.</p> <p>The draft staff report recommends:</p> <ol style="list-style-type: none"> 1. Banning EPS food containers at County operations effective July 1, 2008. 2. Directing County Departments to follow a tiered approach when replacing EPS food containers: <ul style="list-style-type: none"> ▪ Maximize the use of reusable/durable goods. ▪ Implement the following alternatives in order of priority: (1) biodegradable and paper alternatives, (2) recyclable alternatives, and (3) other non-EPS alternatives. 3. Allowing case-by-case waivers to be issued in instances where public safety is a concern or if there are no suitable alternatives. 	May 2008	On April 29, 2008, the draft staff report was forwarded to stakeholders for peer review. Based on stakeholder feedback, the final staff report will be forwarded to the Board for consideration in June 2008.
<p>Phase 2 – Applying the EPS Ban to All Retail Food Establishments in County Unincorporated Areas</p> <p>Phase I results will be used to formulate effective recommendations for Phase II, such as technical feasibility and cost impact of alternatives.</p>	Spring 2009	The Phase II report will be forwarded to the Board in 2009.

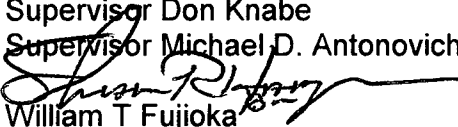


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WILLIAM T FUJIOKA
Chief Executive Officer

August 13, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich
From: 
William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
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MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – QUARTERLY PROGRESS REPORT NO. 2

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer to implement the Program by July 1, 2008, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. The Board further directed staff to provide quarterly progress reports to the Board and interested stakeholders, which is included as Attachment I.

Single Use Bag Reduction and Recycling Program

Program Launch

The Program will be launched in mid-August 2008. This Office, in cooperation with the California Grocers Association, plan to send a joint letter to each affected store in the unincorporated County area encouraging participation in the Program. A Resource Packet (Attachment II), prepared by the Working Group, will be central to the launch effort. The Packet describes the Program in detail and serves as a useful guide in assisting stores with implementing the various Program components. Each of our eight partner cities will also receive copies of the Resource Packet: Azusa, Bell, Hermosa Beach, Lomita, Pico Rivera, Redondo Beach, Santa Fe Springs, and Signal Hill. In addition, we continue to outreach to other cities and are coordinating with those who have indicated a strong interest in adopting this Program, such as Pomona and Glendale.

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On July 22, 2008, the Los Angeles City Council voted to ban plastic bags Citywide by July 1, 2010, barring implementation of a Statewide fee on plastic bags. The City Council also voted to support AB 2058, provided that the bill is amended to: 1) eliminate the 70 percent reduction mandate, and instead require stores to charge 25 cents per bag for all paper, plastic, or other single use bags distributed; and 2) return most of the revenue to local governments on a per capita basis. The same action also included recommendations to phase out the use of expanded polystyrene food containers throughout City operations.

Convenience and Franchise Stores

As directed by your Board, in addition to the "large supermarkets" having gross annual sales of \$2 million or more, and "retail stores" greater than 10,000 square feet with a licensed pharmacy (Category 1 stores), the Working Group has also evaluated the feasibility of incorporating convenience stores and other appropriate franchise stores that are cumulatively larger than 10,000 square feet (Category 2 stores), as well as smaller stores distributing carryout plastic bags (Category 3 stores), into the Program. A comprehensive list of stores under each of the three (3) categories within the County unincorporated areas was compiled by Public Works based on data from the Departments of Public Health, Agricultural Commissioner/Weights and Measures, and Treasurer and Tax Collector (Business License and Collections Division). For verification purposes and in compliance with the requirements of AB 2449, the Category 1 stores data will be compared against a database being compiled by the California Integrated Waste Management Board. Based on the current listing, the estimated numbers of stores in the County unincorporated areas are as follows:

Number of Stores in the Unincorporated County Area

Store Category	Supervisorial District					Category Totals
	1	2	3	4	5	
1	34	30	0	26	31	121
2	140	80	7	78	65	370
3	989	486	95	330	514	2,414
Totals	1,163	596	102	434	610	2,905

Data from Departments of Public Health, Agricultural Commissioner/Weights and Measures, and Treasurer and Tax Collector (Business License and Collections Division)

Since Category 2 and 3 stores are currently not subject to the State's at-store plastic bag recycling or reporting requirements, it would be difficult to require these stores to comply with prescribed disposal reduction benchmarks. However, these stores are not precluded from participating in the Program on a voluntary basis. The Working Group will continue to evaluate options and incentives to incorporate Category 2 and 3 stores into the Program.

Expanded Polystyrene (EPS) Food Containers

A draft report that examines the feasibility of banning EPS food containers at County operations has been reviewed by stakeholders and interest groups, including County departments. A Board letter and the report will be presented to your Board in September 2008, with a recommendation for departments to phase out the use of EPS food containers, effective 30 days after Board approval, where feasible. Departments that are high-volume users and/or have health and safety operational concerns may need to evaluate alternative products. Therefore, a consultant will be retained to conduct a study of alternative products and related costs to phase out the use of EPS containers. The consultant will also conduct a Life Cycle Analysis of alternative products, which will enable departments to make more informed purchasing decisions when selecting products. This effort would also provide insight for Phase II of the project, which is evaluating expansion of the phase out to retail food establishments in the unincorporated County areas.

Summary

The next Quarterly Report will be submitted to your Board by November 1, 2008.

If you have any questions regarding this memorandum, please contact me, or your staff may contact Burt Kumagawa at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacounty.gov.

WTF:LS
BK:os

Attachments (2)

- c: Executive Officer, Board of Supervisors
- County Counsel
- Acting Director of Internal Services
- Acting Director of Public Works
- Director and Health Officer of Public Health
- Treasurer and Tax Collector
- Sanitation Districts of Los Angeles County

ATTACHMENT I

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>Store Related Efforts</p> <ul style="list-style-type: none"> • Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. • Establish the measurement methodology to evaluate program success. • Establish a menu of store-specific programs for implementation. • Develop minimum store participation levels. • Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008</p>	<ul style="list-style-type: none"> • Public Works (DPW) completed database of Category 1 stores. This list of impacted stores will be verified and finalized upon receiving data from the CIWMB once available. Category 1 stores are defined as large supermarkets having gross annual sales of \$2 million or more and retail stores greater than 10,000 square feet with a licensed pharmacy. • Completed the measurement methodology, which now includes accounting for bags recycled through curbside programs as approved by the Working Group; incorporated final recommendations into the Resource Packet (see Attachment II). • Completed the menu of store-specific Program components and incorporated final recommendations into the Resource Packet (see Attachment II). • Completed the minimum store participation levels and incorporated final recommendations into the Resource Packet (see Attachment II). • Completed the development of environmental awareness messages, which were reviewed by stakeholders and incorporated final recommendations into the Resource Packet (see Attachment II).

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>Additional Program Components</p> <ul style="list-style-type: none"> • Develop a public education campaign to promote reusable bags and at-store recycling. • Develop a Store Recognition Program. • Identify litter hot spots and develop a focused anti-litter campaign. • Maximize recycled content and promote recycling markets for all single use bags. • Ban plastic carryout bags at County facilities. • Continue to encourage cities to join Program. • Expand Program to Category 2 and Category 3 stores. 	<p>These elements of the Program will be finalized by Fall 2008 and will be evaluated / updated as appropriate.</p> <p>July 2009</p>	<ul style="list-style-type: none"> • Completed development of public education campaign strategies, and incorporated final recommendations into the Resource Packet (see Attachment II). The Working Group will continue to work together in implementing the activities outlined in the campaign. • Completed and incorporated the Store Recognition Program into the Resource Packet; this will be implemented on an ongoing basis (see Attachment II). • Completed identification of litter hot spots, drafted an anti-litter campaign and incorporated it into the Resource Packet (see Attachment II). Hot spots will continue to be updated or identified as appropriate. The anti-litter campaign will be an ongoing effort. • Completed strategies for maximizing recycled content and promoting recycling markets for all single use bags; incorporated final recommendations into the Resource Packet (see Attachment II). Implementation of strategies will be ongoing. • The Working Group continues to evaluate feasibility of banning plastic carryout bags at County facilities. A recommendation to your Board is expected to be presented by September 2008. • As of August 1, 2008, the cities of Azusa, Bell, Hermosa Beach, Lomita, Pico Rivera, Redondo Beach, Santa Fe Springs, and Signal Hill have adopted resolutions to join the Program, and cities such as Glendale and Pomona, are considering such an action. The County will continue its ongoing outreach effort to cities. • Since these stores are currently not subject to the State's at-store bag recycling or reporting requirements, it would be difficult to require these stores to comply with prescribed disposal reduction benchmarks. However, these stores are not precluded from participating in the Program on a voluntary basis. The Working Group will continue to evaluate options and incentives to incorporate these stores into the Program.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3% of a benchmark goal and "good faith" efforts have been demonstrated.</p>	<p style="text-align: center;">April 1, 2010</p>	<p>County Counsel has not yet commenced preparation of the draft ordinance as it is not required to be drafted until April 1, 2010 as directed by your Board.</p> <p>Implementation of the Ordinance will require California Environmental Quality Act (CEQA) compliance.</p> <p>On July 17, 2008, a group called "Save the Plastic Bag Coalition" filed a suit challenging the Board's January 22, 2008 action to adopt the voluntary program. County Counsel is currently reviewing the suit.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	<p style="text-align: center;">No specific due date</p>	<p>County Counsel has not yet commenced preparation of an ordinance. We are considering developing one ordinance to address both the benchmarks and the environmental message. The Working Group has developed several potential messages.</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a point-of-purchase fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message be imprinted on each plastic carryout bag, describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	<p>2008 Legislative Year</p>	<p>County-sponsored AB 2829 (Davis) was considered in the Assembly Natural Resources Committee on April 14, 2008; during the Committee proceedings an agreement was reached to amend the provisions of AB 2829 into AB 2058 (Levine) and include Assembly Members Davis and Brownley as joint authors.</p> <p>The June 30, 2008 amendment of AB 2058 required stores to impose a 25 cent fee on each plastic bag if a 70 percent reduction benchmark is not met. The funds were to be retained by stores for plastic bag litter reduction and public education programs, however the Bill did not:</p> <ol style="list-style-type: none"> 1. Direct revenue to local governments on a per-capita basis; 2. Require an environmental awareness message <p>AB 2058 passed the Senate Environmental Quality Committee on May 21, 2008. The Senate Appropriations Committee placed the Bill on the suspense file. The Bill was not moved to the Senate floor on August 7, 2008 as anticipated, however, the final deadline to move a bill to the floor is August 15, 2008.</p> <p>We will continue to advocate for the policies directed by your Board.</p>

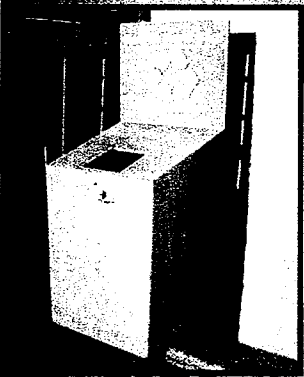
**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single-use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>Since early 2008, the following cities have taken action to ban the use of plastic bags, and in some cases, paper bags as well:</p> <ul style="list-style-type: none"> • Gardena • Los Angeles • Malibu • Manhattan Beach • Santa Monica 	<p>Ongoing</p>	<p>On April 17, 2008, the Superior Court agreed with the plastic bag industry and ruled that the City's ordinance did not comply with CEQA, thus voiding the City's ordinance. The City is evaluating whether to contest the court's ruling, or pursue completion of the necessary CEQA environmental documentation (however, this process would delay the implementation of the ordinance by at least a year, and may cost upwards of \$100,000 to complete).</p> <p>We will continue to monitor the effort by the City of Oakland and analyze its relevance to the Los Angeles County Single Use Bag Reduction and Recycling Program.</p> <p>An industry group called Save the Plastic Bag coalition has indicated that they may file lawsuits challenging actions by the Cities of Manhattan Beach and Gardena, contesting whether these cities complied with all necessary CEQA environmental documentation.</p> <p>On July 22, 2008, the Los Angeles City Council voted to ban plastic bags throughout the City by July 1, 2010, if a Statewide fee on plastic bags is not implemented by then. They also voted to support AB 2058, provided that it is amended to eliminate the 70 percent reduction mandate, and instead require stores to charge 25 cents per bag for all paper, plastic or other single use bag distributed; and that most of the revenue was returned to local governments on a per capita basis. The same action also included recommendations to phase out the use of expanded polystyrene food containers throughout City operations.</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
PLASTIC CARRYOUT BAGS AND EXPANDED POLYSTYRENE FOOD CONTAINERS**

EXPANDED POLYSTYRENE ("EPS" - COMMONLY KNOWN AS STYROFOAM™) FOOD CONTAINERS		
PROGRAM ELEMENT	BOARD DUE DATE	STATUS
<p>Phase 1 – Banning EPS Food Containers at County Operations</p> <p>In April 2008, a draft staff report was reviewed by County departments/agencies. The draft staff report recommends:</p> <ol style="list-style-type: none"> 1. Banning EPS containers at County operations effective July 1, 2008. 2. Directing County Departments to follow a tiered approach when replacing EPS food containers: <ul style="list-style-type: none"> ▪ Maximize the use of reusable/durable goods. ▪ Implement the following alternatives in order of priority: (1) biodegradable and paper alternatives, (2) recyclable alternatives, (3) other non-EPS alternatives. 3. Allowing waivers to be issued in instances where public safety is a concern or if no suitable alternatives exist. <p>Phase 2 – Applying the EPS Ban to All Retail Food Establishments in County Unincorporated Areas</p> <p>Phase I results will be used to formulate effective recommendations for Phase II, such as technical feasibility and cost impact of alternatives.</p>	<p>May 2008</p>	<p>A draft report that examines the feasibility of banning EPS food containers at County operations has been reviewed by stakeholders and interest groups, including County departments. A Board letter and report will be presented to the Board in September 2008 with a recommendation to phase out the use of EPS food containers effective 30 days after Board approval.</p> <p>A consultant will be retained to conduct a study to evaluate alternative products and related costs, particularly in departments that are high volume users and/or have health and safety operational concerns.</p>
<p>Phase I results will be used to formulate effective recommendations for Phase II, such as technical feasibility and cost impact of alternatives.</p>	<p>Spring 2009</p>	<p>The Phase II report will be forwarded to the Board in early 2009.</p>

ATTACHMENT II



COUNTY OF LOS ANGELES SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM RESOURCE PACKET

AUGUST 2008



COUNTY OF LOS ANGELES
SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM
SUMMARY OF KEY PROGRAM COMPONENTS

According to research done by the Los Angeles County Department of Public Works, each year approximately 6 billion plastic carryout bags are consumed in Los Angeles County, equivalent to 600 bags per person per year¹. Plastic bag litter makes up as much as 25 percent of the litter stream and significantly impacts our communities and the environment². In Los Angeles County alone, local and State governments spend tens of millions of dollars each year on prevention, cleanup, and enforcement activities to reduce litter³. Although plastic carryout bags are inexpensive and have other useful qualities, they have had the propensity to become litter, thus overshadowing these benefits. Communities throughout the State and around the world are grappling with this issue, and searching for ways to reduce the impact that littered carryout have on their quality of life.

Although paper carryout bags have a higher recycling rate than plastic carryout bags (21 percent nationally), approximately 117,000 tons of paper carryout bags are disposed by residents Countywide each year, comprising approximately 1 percent of the total 12 million tons of solid waste disposed each year⁴. Paper bags are less likely to become litter and will biodegrade in the marine environment; however, single use paper carryout bags still are negative contributors to the environment given the substantial amount of energy used, trees felled, and pollution created in their manufacture.

For these reasons, on January 22, 2008, the Los Angeles County Board of Supervisors adopted the Single Use Bag Reduction and Recycling Program (Program), a comprehensive strategy designed to reduce the litter and other environmental impacts of single use carryout bags. The Program seeks to align grocers, retailers, environmental groups, the plastic bag industry, local government, and the public to reduce the consumption of paper and plastic bags while increasing the use of reusable bags, promoting at-store recycling of plastic bags, and educating consumers regarding the need to reduce litter. As a part of the Program, the Board of Supervisors established two aggressive benchmarks for reducing plastic bag use and increasing recycling, using total consumption for Fiscal Year 2007-08 as a baseline:

- 30 percent disposal reduction by July 1, 2010
- 65 percent disposal reduction by July 1, 2013

Failure to achieve these goals triggers action to establish a County Ordinance to ban the use of plastic bags at affected stores.

¹ California Integrated Waste Management Board, Resolution, Agenda Item 14, June 12, 2007 Board Meeting.

² Waste characterization study conducted by the City of Los Angeles, June 10, 2004.

³ Los Angeles County Department of Public Works.

⁴ California Integrated Waste Management Board's 2004 Statewide Characterization Study, Table 7. Countywide figure is prorated.

PROGRAM PARTNERS

- *The County of Los Angeles and Participating Cities* -- The County is the facilitator of this Program and will be working with the California Grocers Association and participating cities to provide technical assistance in implementing the Program. The County will utilize its vast public outreach program to promote the Program to County residents, as well as provide specific store outreach assistance.
- *The County Working Group* -- An inclusive group comprised of representatives of the California Grocers Association, American Chemistry Council, Progressive Bag Alliance, local government, and environmental organizations; stakeholders developed the Program through a highly collaborative process. Stakeholders will continue to work together to ensure smooth implementation of the Program.
- *Large Grocery Stores and Retail Stores with Pharmacies* -- Each store is encouraged to implement the Program in an effort to reduce single use carryout paper and plastic bags and promote the use of reusable bags Countywide.

Program Components

To guide participants in implementing the Program, stakeholders came together to develop the following:

Store Operations

- *Definition of Large Supermarkets and Retail Stores* -- These definitions identify which stores will participate in the Program. The Program establishes three discrete categories of stores that can participate in the Program at different levels (see page 9 for definitions).
- *Store-Specific Program Options* -- The Program identifies a menu of options for stores to implement on site. Stores are also encouraged to share ideas and implement additional efforts that they develop independently.

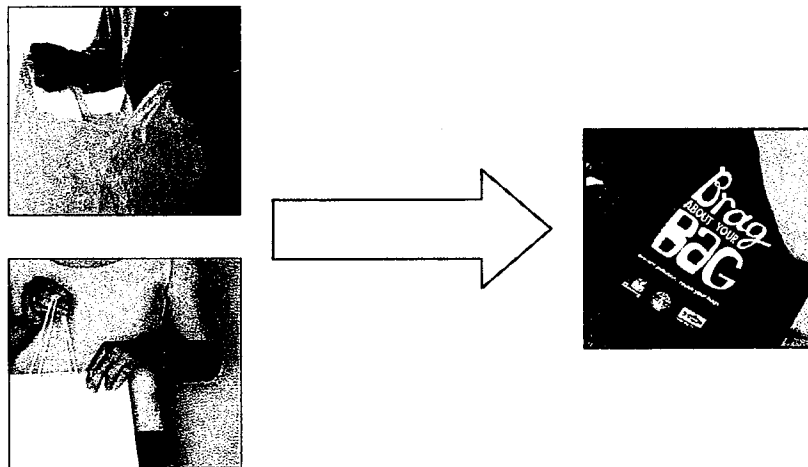
Public Education and Outreach

- *Public Education Efforts and Ongoing Communication* -- The Program will develop educational materials that promote reusable bags and at-store recycling with a consistent message, and work with County departmental recycling coordinators to ensure distribution of promotional materials to employees and at facilities, events, or other appropriate opportunities. The Program will also establish a framework to communicate and collaborate with the 88 Cities in Los Angeles County and other stakeholders to create a Countywide coordinated and consistent antilitter campaign.
- *Environmental Message* -- An environmental awareness message imprinted on each plastic carryout bag distributed by large supermarkets and retail stores will reinforce the efforts of the Program. This message will describe the negative impacts littered plastic bags have on the environment, and the need to use reusable bags.

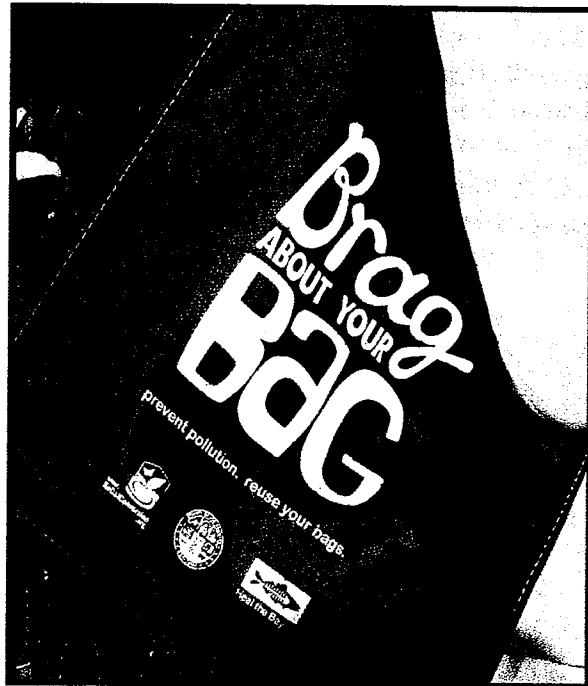
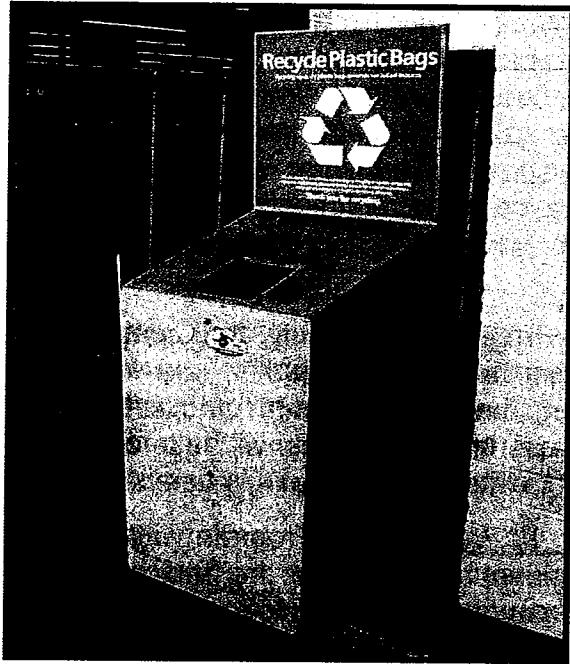
- **Store Participation and Recognition** -- The Program establishes minimum participation expectations, including participation levels and minimum program implementation at each store. In addition, this provides a mechanism to recognize large supermarkets and retail stores as well as other stakeholders who have shown a commitment to participating in the Program.

Technical Components

- **Reporting and Measurement Methodology** -- The Program establishes a methodology for accurately measuring the disposal rate of plastic bags, and tracks that rate over time, in order to evaluate the success of the County bag disposal reduction goals. This methodology utilizes AB 2449 data from the California Integrated Waste Management Board to measure the reduction in consumption of plastic bags, increased at-store recycling of plastic bags, and plastic bags recovered at recycling facilities, on a semi-annual basis, while protecting confidential industry information.
- **Hot Spots and Anti-Littering Campaign** -- The Program will identify “hot spots” in the County where plastic bag litter is acute based on existing studies, and establish additional litter prevention programs, including best management practices and a framework for measuring litter reduction in these hot spots. This will help to ensure that that Program is successful in addressing the litter impact of single use bags.
- **Recycled Content and Recycling Markets for All Bags** -- The Program will develop strategies to reduce the consumption and disposal and increase the recycling of all single use bags and maximize the post-consumer recycled content of all bags provided to the public in order to help develop markets for recyclable materials and decrease use of raw materials. In addition, the Program will work to phase out the purchase and use of single use plastic bags at County departments and facilities, and maximize the recycled content of paper bags, meeting a minimum 40 percent recycled content.



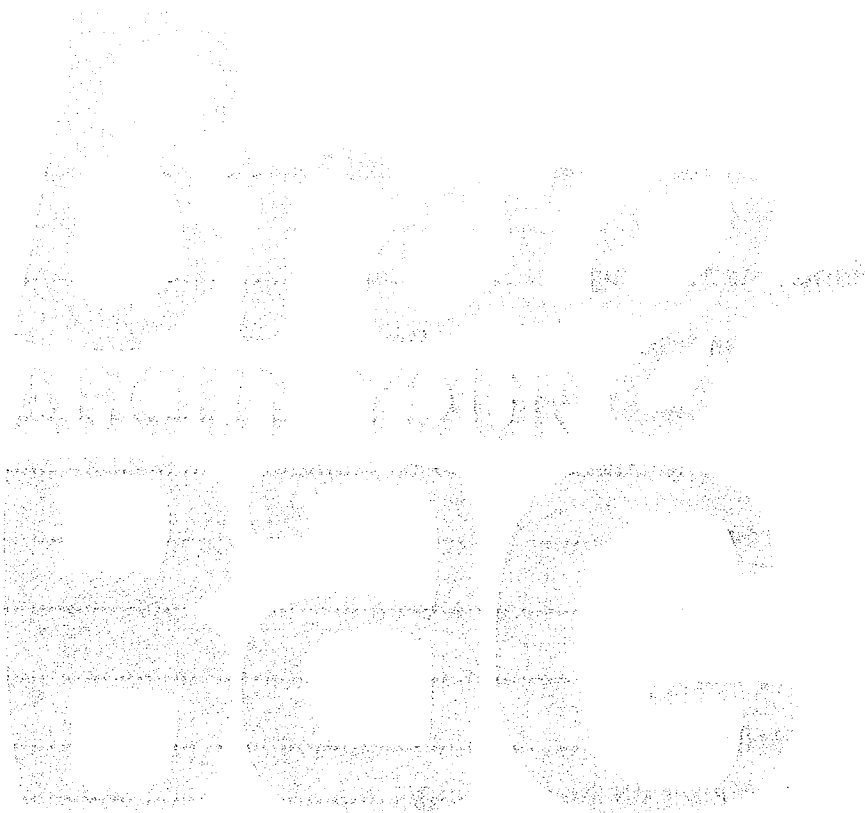
**Our Aim Is To Transition From
Single Use Carryout Bags To Versatile Reusable Bags**



SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

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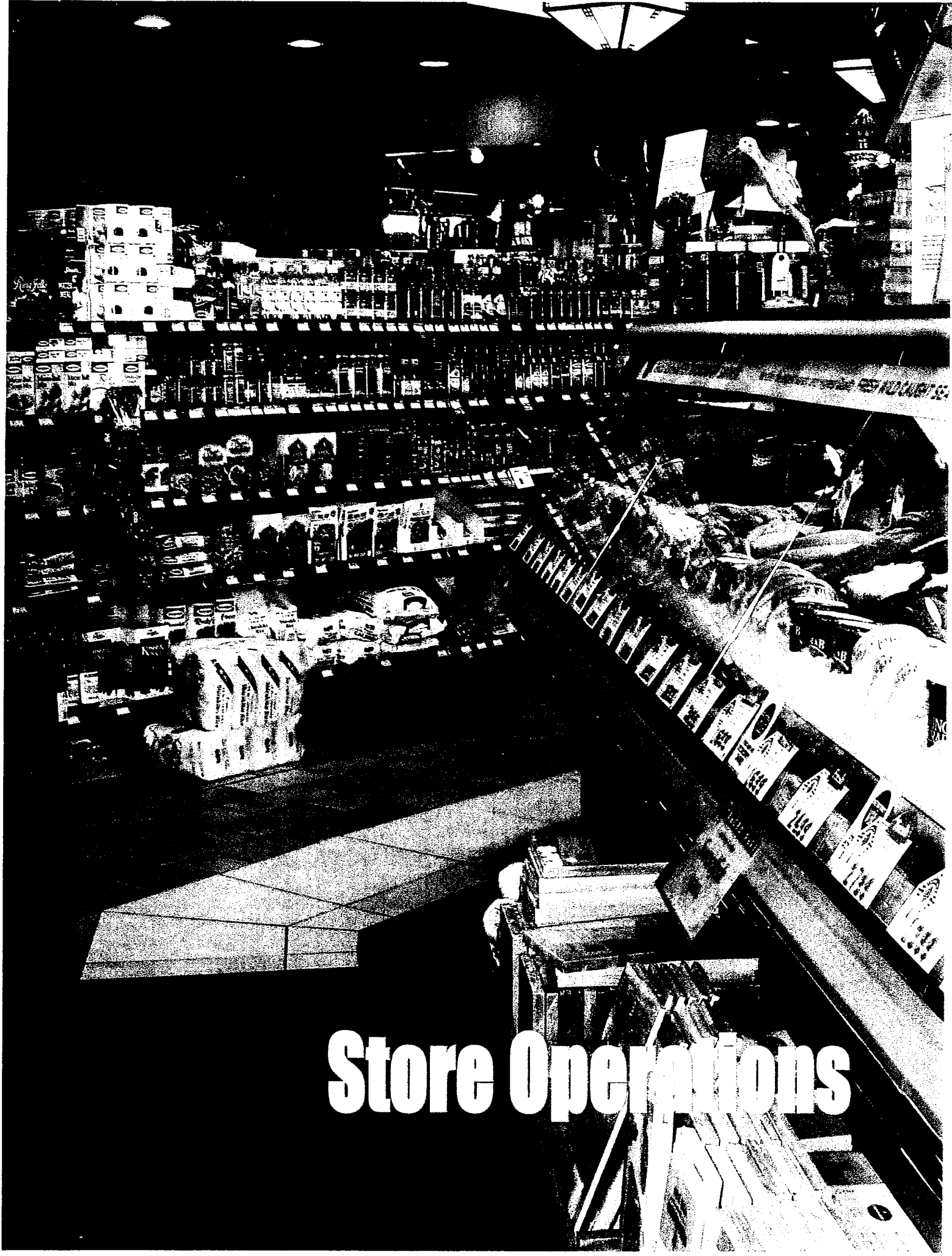
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prevent infection. Teach your boys
proper hand washing technique.

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Store Operations

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STORES SUBJECT TO THE PROGRAM

BACKGROUND

As one of its first tasks, the County Working Group identified the supermarkets and retail stores that would be subject to the program or phased into the program at a later date.

STORE CATEGORIES

The Working Group has prepared the following three discrete categories of definitions for stores that will be incorporated now or in the future in the County's Single Use Bag Reduction and Recycling Program.

Category 1

Under AB 2449, "large supermarkets and retail stores" are defined as stores that fall under either of the following two categories:

- **Large Supermarket** -- a full-line, self-service, retail store with gross annual sales of \$2 million or more and which sells a line of dry groceries, canned goods, or nonfood items and some perishable goods.
- **Retail store** -- has over 10,000 square feet of retail space that generates sales tax and has a licensed pharmacy.

Category 2

Defined as "convenience stores and other appropriate franchise stores whose cumulative square footage exceeds 10,000 square feet."

Category 3

All stores not included in Categories 1 or 2 that provide single use carryout plastic bags to the public, including small family owned neighborhood stores.

STORE-SPECIFIC PROGRAM OPTIONS AND PARTICIPATION

BACKGROUND

As part of the Program, each Category 1 large supermarket and retail store is responsible for developing and implementing store-specific programs from a menu of options below. Within each of the following three key elements (numbered **1-3** below), the County Working Group has identified major action items (shown below in **green**). Each store would be responsible for developing a program that addresses each of the **green** action items by selecting one or more of the choices suggested. Stores would be expected to meet, at a minimum, the “Bronze” level of participation as shown on the table on page 12.

Acknowledging the County’s culturally diverse population, programs implemented by the stores should be community-specific, focusing on the store’s customer demographics, while still addressing Program goals. County staff is available to assist stores in developing their programs and promoting them through the County’s public education resources. Additional resources and electronic copies of this packet are available on our website: www.BragAboutYourBag.org.

1. Training of Store Personnel (Management, Baggers, Clerks, etc.)

- ☒ Develop a staff training plan that highlights the impacts bag litter has on the environment and supports the goals of the Program. Choices include:
 - i. Fact sheets for employee guidance
 - ii. Informational DVDs
 - iii. Employee workshops
 - iv. Incentives for participation
 - v. Include information on reusable bags in existing training programs
- ☒ Promote the purchase and use of reusable bags and encourage appropriate bagging techniques. Choices include:
 - i. Asking each customer if they brought their reusable bags today
 - ii. Encouraging customers to purchase reusable bags at stores
 - iii. Placing a sign at the store front reminding customers to bring their reusable bags
 - iv. Implementing smart bagging techniques, including:
 - 1. Eliminating unnecessary double-bagging
 - 2. Eliminating unnecessary bagging of single items or bulky items
 - v. For stores offering a bag credit, notifying customers of the amount saved on their bill by bringing a reusable bag
 - vi. Increasing the variety of reusable bags offered for sale

- ☒ Encourage customers to recycle their bags at the store. Choices include:
 - i. Placing plastic bag recycling bins in a visible, accessible location
 - ii. Incorporating signs that highlight the purpose of the bins
 - iii. Incorporating messages in public education efforts (see #3 below) that encourage/remind residents to bring clean, dry, empty bags back to the store for recycling

2. Incentives To Reduce Single Use Bag Consumption

- ☒ Establish a customer rewards program or otherwise encourage the use of reusable bags and at-store recycling. Choices include:
 - i. Each time customers bring a reusable bag and/or bring bags back to stores:
 - 1. Provide club card reward/gift points (if applicable);
 - 2. Provide a small bag credit; or
 - 3. Donate profits from reusable bag sales/use/recycling revenue to charities and schools to support related causes (litter prevention, wildlife protection, etc.)
 - ii. Giving a free reusable bag to customers who spend a certain amount on groceries
- ☒ Establish financial incentives to reduce plastic bag usage. Choices include:
 - i. Providing a credit for each reusable bag used
 - ii. Charging a per-bag fee for each plastic bag provided to customers

3. Public Education/Awareness

- ☒ Within the store, choices include:
 - i. Sell reusable bags in multiple locations
 - ii. Make reusable bag displays more prominent, located near checkout
 - iii. Run PSAs on monitors at check-out stands, if applicable
 - iv. Display environmental message on shopping carts
 - v. Environmental awareness photo gallery/display in front of store
 - vi. Posters/banners in parking lots or at store front
 - vii. Environmental message on single use paper and reusable bags
 - viii. Have employees wear button with environmental message
- ☒ Within the community, choices include:
 - i. Participate in reusable bag promotions
 - ii. Provide in-kind contributions at reusable bag events
 - iii. Inform the public about the program on the store's website
 - iv. Sponsor school-based education programs
 - v. Create a kids' coloring contest that emphasizes recycling plastic bags and using reusable shopping bags
 - vi. Provide a link to the County's website, www.BragAboutYourBag.org, on company's website

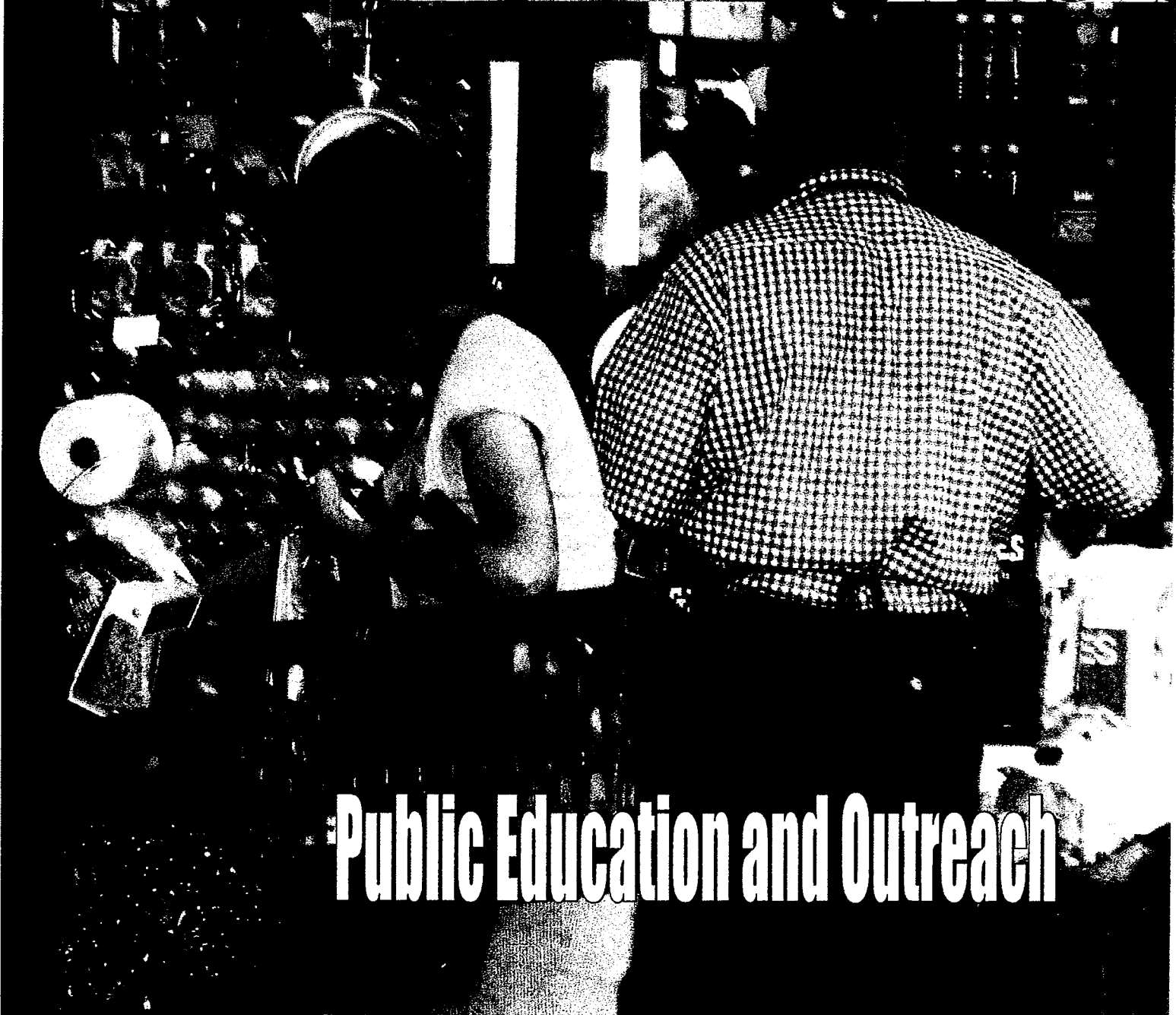
☒ Environmental Message

- i. Imprint on each distributed plastic carryout bag an environmental message describing the negative impacts littered plastic carryout bags have on the environment and wildlife, and the need to use reusable bags. Recommended environmental messages are found on page 18.

LEVELS OF PARTICIPATION AND RELATED RECOGNITION

Below is a table that identifies the various categories of store-specific programs that should be considered minimum levels of participation (e.g. Bronze) or exceptional levels of participation (e.g. Gold). Stores who implement additional programs will be recognized on the Program website, and all stores meeting the Gold level will be provided recognition by the Los Angeles County Board of Supervisors, such as a plaque or certificate to display within their stores.

MENU OF OPTIONS	LEVEL OF PARTICIPATION		
	Gold Store	Silver Store	Bronze Store
<i>Retraining of Supermarket Staff (management, baggers, clerks, etc.)</i>			
Develop a staff training plan that: a) Highlights the impacts of plastic bag litter b) Supports Program goals	3 or more	2	2
Promote the purchase/use of reusable bags and encourage smart bagging techniques	3 or more	2	1
Encourage customers to recycle bags at store	3 or more	2	1
<i>Incentives for Residents to: (a) use reusable bags, (b) bring plastic bags back to the store for recycling, etc.</i>			
Establish customer rewards program	2 or more	1	1
Establish financial incentives	2 or more	2	1
<i>Public Education / Awareness</i>			
Promote reusable bag usage and plastic bag recycling within the store	3 or more	2	1
Promote reusable bag usage and plastic bag recycling within the community	3 or more	2	1



Public Education and Outreach

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PUBLIC EDUCATION AND OUTREACH EFFORTS

BACKGROUND

Public education and outreach are critical to successfully changing consumer behavior. To bolster the County's Single Use Bag Reduction and Recycling Program, the County Working Group has developed a comprehensive public education and outreach campaign through a collaborative effort. The campaign includes the following:

- Production of educational materials that promote reusable bags and at-store recycling with a consistent message
- Distribution of promotional materials to County employees, County departmental recycling coordinators, and at facilities, events, or other appropriate opportunities
- Communication and collaboration with the 88 Cities in Los Angeles County and Councils of Government to maintain a coordinated anti-litter campaign
- Distribution of reusable bags for large-scale giveaways

In order to increase awareness of this issue and provide the public with continued reliable recycling messages, the County's public education will be informative, engaging, and community-specific. Public education and outreach efforts will also address the diversity of cultures and languages of Los Angeles County residents. The comprehensive Public Education and Outreach campaign is being launched concurrently with the Program.

PUBLIC EDUCATION CAMPAIGN

Countywide Public Education Campaign

- ☒ Develop branding, which includes an environmental slogan and logo, that can be applied to various media and incorporated into educational and outreach materials. County staff also evaluated existing public education materials, such as those developed by the American Chemistry Council (www.BragAboutYourBag.org), and has incorporated them into this packet.
- ☒ Develop a public education plan that focuses on children and schools. This includes:
 - i. Creating a Program mascot to appear at school assemblies and community events
 - ii. Encouraging school field trips to landfills and material recovery facilities
 - iii. Developing an educational, single use bag litter presentation that can be shown during school assemblies
 - iv. Incorporating and utilizing environmental clubs in schools
 - v. Holding coloring contests in partnership with local supermarkets
 - vi. Holding artwork/essay contests for grade-school children, where winners (along with their teachers) are honored by the Board of Supervisors
 - vii. Developing an illustrated activity book that encourages families to reduce their plastic bag usage and use reusable bags instead
 - viii. Developing environmental awareness curriculum and programs for public schools

- ☒ Raise awareness among consumers of the impacts plastic bags have on the environment and encourage use of reusable bags. This could include:
 - i. Posters to hang in and at front of stores
 - ii. Posters and flyers which promote common message
 - iii. Banners to hang in store parking lots and throughout major streets
 - iv. Billboards to place along major streets and on buses
 - v. Advertisements to place in local newspapers and magazines
 - vi. Advertisements to place in bus shelters
 - vii. Public service announcements/commercials to air on local television and cable networks and radio stations
 - viii. Press releases to send to local media outlets
 - ix. Educational outreach material in multiple languages
 - x. Brochures/handouts to distribute at stores and public outreach events
 - xi. Decals that consumers can hang/stick in their vehicles
 - xii. Displays and Program fliers promoting the Program at County libraries
 - xiii. Educate the public when taking plastic bags back to stores for recycling, promoting the "Bag in Bag" concept

Reusable Bag Promotions

- ☒ Sponsor plastic bag collection events where consumers can exchange a certain number of plastic bags for a reusable bag.
- ☒ Distribute free reusable bags and educational material at environmental outreach events. For example, the County participates in dozens of events Countywide each year to promote environmental awareness.



RECOGNITION PROGRAM

Background

The County has developed a recognition plan which will provide a mechanism for recognizing businesses, individuals, educators, organizations, and local governments who have made significant advances in promoting the adoption of reusable bags, increasing recycling of plastic bags, and reducing the use of plastic carryout bags.

As part of its recognition efforts, the County of Los Angeles will highlight outstanding contributors with an award, in coordination with the Green Leadership Awards program. Award winners would be promoted through local media, including the County's www.BragAboutYourBag.org website, and honored by the Board of Supervisors. A summary table that identifies the various categories of store-specific programs that should be considered minimum levels of participation (e.g. Bronze) or exceptional levels of participation (e.g. Gold) is included on page 12. Stores who implement additional programs will be recognized on the Program website or by the Los Angeles County Board of Supervisors, such as through a plaque or certificate to display within their stores. Below are the categories of the Plastic Bag Recognition Plan.

Large Supermarkets/Retail Stores (as defined)

Nominees would be evaluated based on their level of participation, creativity, largest reduction in plastic bag usage, and/or other categories. Participation will be measured according to the number of options implemented as part of the store-specific recycling/outreach program (see draft table below). The awardees would be selected by the County Working Group.

Educators

Educators may be nominated through a brief essay explaining how the educator has demonstrated exemplary leadership in recycling and reducing plastic bag usage. The awardees will be selected by the County Working Group.

Businesses/Individuals

Businesses and individuals may be nominated by others through a brief application explaining how they have demonstrated outstanding leadership in recycling and reducing the amount of plastic bags consumed by the public either through point-of-sales or by raising awareness among consumers of the impact plastic bags have on the environment. The awardees will be selected by the County Working Group.

ENVIRONMENTAL MESSAGE

To advance a unified approach to the Program, the County Working Group developed an environmental awareness message to describe the negative impacts littered carryout bags have on the environment and wildlife, and the need to use reusable bags as a better alternative. This environmental awareness message should be imprinted on each plastic carryout bag distributed by large supermarkets and retail stores, and can also be

utilized in other outreach materials. To provide more flexibility, the Working Group developed four different messages, which may be rotated throughout the year:

- It's Not Just a Bag Issue. It's a BIG Issue. Bring A Reusable Bag Next Time.
- Plastics Last Forever. Protect The Environment By Using Reusable Bags.
- Do You Really Need This Bag? Bring A Reusable Bag Next Time.
- Do Your Part. Recycle This Bag.

PROGRAM WEBSITE -- www.BragAboutYourBag.org

County staff has developed a dedicated website for the Single Use Bag Reduction and Recycling Program. The website is designed to serve as a convenient, valuable and comprehensive resource that raises awareness of the positive impacts of reusable bags, provides information regarding the environmental impacts of plastic bag litter, and discusses the benefits of using reusable bags in a manner that is user-friendly and visually engaging. The website includes information about upcoming stakeholder meetings, draft working documents, news articles, upcoming environmental awareness events, and other pertinent information. Stores, non-profits, and public agencies are encouraged to provide a link to this website from their websites to make this resource available to their customers and constituents.



Technical Components

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DISPOSAL REDUCTION RATE METHODOLOGY

BACKGROUND

As directed by the County of Los Angeles Board of Supervisors, the County Working Group established the following disposal rate measurement methodology to evaluate the success of the County goals. The methodology must measure the reduction in consumption of plastic bags, increased at-store recycling of plastic bags, and plastic bags recovered at recycling facilities, on a semi-annual basis, while fully protecting confidential industry information. The County also established a framework by which the data submitted is confirmed to be accurate and verifiable on a regular basis.

The County Goals are to reduce the disposal rate of plastic bags by:

- a. A minimum of 30%, using FY 2007-08 as the baseline, by July 1, 2010.
- b. A minimum of 65%, using FY 2007-08 as the baseline, by July 1, 2013.

Failure to achieve these goals triggers action to establish a County Ordinance to ban the use of plastic bags at affected stores.

DISPOSAL REDUCTION RATE METHODOLOGY

In response to these requirements, staff has developed the following disposal reduction rate methodology, which includes the following three components:

- 1) Reduction in consumption of plastic carryout bags;
- 2) Total number of plastic bags recycled at-stores; and
- 3) Total number of plastic bags recycled via curbside recycling programs.

Disposal Reduction Rate =

$$\frac{(\text{Base Year Consumption}^5 - \text{Reporting Year Consumption}^6) +}{\text{Base Year Consumption}}$$

$$\frac{\text{Plastic Bags Recycled At Stores During Reporting Year} +}{\text{Base Year Consumption}}$$

$$\frac{\text{Plastic Bags Recycled via Curbside Collection Programs During Reporting Year}}{\text{Base Year Consumption}}$$

⁵ Base Year Consumption is the amount of plastic bags generated in Fiscal Year 2007-08, based on data reported to the California Integrated Waste Management Board as required by AB 2449.

⁶ Reporting Year Consumption is the amount of plastic bags generated during a specified fiscal year, based on data reported to the California Integrated Waste Management Board as required by AB 2449.

Example:

Base Year: Large supermarkets and retail stores (Category 1) consumed 600 million plastic bags during the base year.

Reporting Year: Large supermarkets and retail stores (Category 1) consumed 400 million plastic bags, collected 100 million plastic bags at stores and recycled 1 million plastic bags via curbside collection program during the reporting year.

Calculation:

$$= \frac{(600M - 400M)}{600M} + \frac{100M}{600M} + \frac{1M}{600M}$$
$$= \frac{301M}{600M}$$
$$= 0.5017 \times 100$$
$$= \mathbf{50.2\% \text{ (rounded)}}$$

ADDITIONAL DISPOSAL REDUCTION RATE METHODOLOGY FACTORS

The County Working Group acknowledges that other factors may affect the Disposal Reduction Rate and/or have ancillary impacts. The County Working Group will take into consideration factors such as reuse of plastic bags, recyclable content of plastic bags, and other economic factors.



PLASTIC BAG LITTER HOT SPOTS AND LITTER PREVENTION PROGRAM

BACKGROUND

Because plastic bag litter makes up a significant component of the litter stream, the County Working Group set out to identify 'hot spots' where plastic bag litter is acute, based on existing studies, and establish additional litter prevention programs. The intent is to ensure that the Program is successful in reducing the litter impact of single use bags, by identifying key areas and focusing litter reduction efforts in those areas to augment the Program.

STRATEGIES FOR IDENTIFYING LITTER "HOT SPOTS"

Identification of litter "hot spots" in the County unincorporated area will be addressed as follows:

- Utilize the City of Los Angeles' Methodology to identify High Trash Generation Areas or "hot spots"
- Work with agencies and interested parties to provide additional relevant data such as:
 - Catch basin/storm drain locations
 - Trash or plastic bag quantities collected from different clean up points
 - Total Maximum Daily Load (TMDL) data
 - Solid waste collection information related to trash bins, collection trucks and facilities that do not implement "total containment"
- Develop maps of litter "hot spots" and litter indicators
- Track data gathered over time to measure results

IMPLEMENTING LITTER PREVENTION PROGRAMS

The County Working Group has developed additional litter prevention programs for implementation and a framework for measuring litter reduction. These litter prevention programs include:

- Expanding public education and outreach on plastic bag recycling and reuse
 - Anti-litter public educational program at stores
- Incorporating plastic bags into existing litter prevention programs, such as:
 - Illegal dumping prevention program
 - Curbside recycling program
 - Household Hazardous and Electronic Waste collection program
 - Permanent waste collection sites (e.g. AVECC)
 - Waste tire collection events
 - Free dump day events
 - Recycling Market Development Zone (RMDZ) program for market development
 - Other waste reduction and diversion programs
 - Additional bag collection stations at places like recycling centers, schools, public facilities, etc.

MAXIMIZE RECYCLED CONTENT OF ALL BAGS AND PROMOTE BAG RECYCLING MARKETS

BACKGROUND

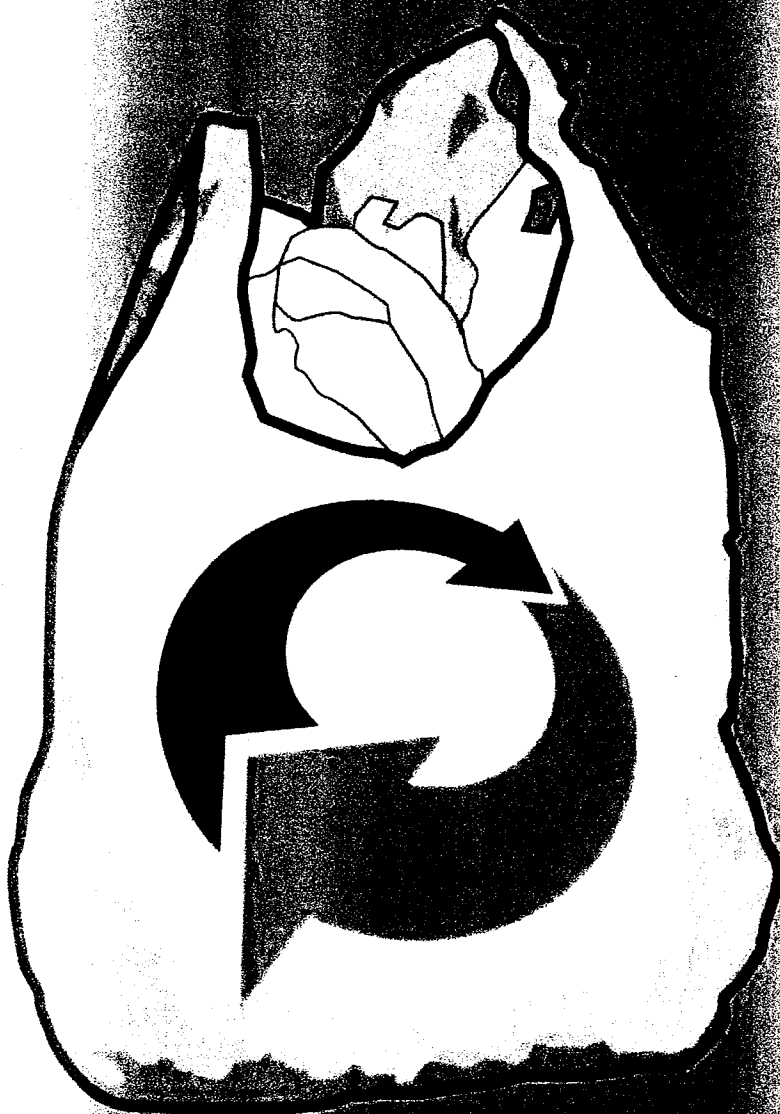
The County Working Group developed strategies to reduce the consumption and disposal and increase the recycling of **all** single use bags and maximize the post-consumer recycled content of all bags provided to the public in order to help develop markets for recyclable materials and decrease use of raw materials.

STRATEGIES

In order to achieve these objectives, a variety of strategies will be employed. The County Working Group has developed the following strategies:

- Development of markets for single use paper and plastic bags recycled in unincorporated areas of Los Angeles County
 - Provide information and incentives to manufacturers and stores for maximizing their use of recycled content bags
 - Establish incentive programs to foster development of industries that would use collected single use plastic and paper bags in their productions and operations (e.g. using the RMDZ Program)
- Maximization of the post-consumer recycled content of single use paper bags in Los Angeles County to decrease use of raw materials
 - Promulgate legislation and laws that would require making of single use paper bags with post consumer recycled content.
 - Require procurement of single use paper bags made of post consumer recycled contents in government and other large scale procurement programs.
 - Educate manufacturers and producers on use of single use plastic bags for manufacturing products with post consumer recycled content.

LE PLASTIC



YOUR STOP

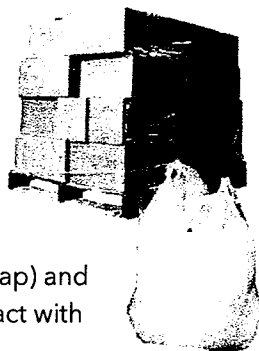
**A Toolkit from the
Clean Chemistry Council**

STRATEGIES FOR PLASTIC BAG AND FILM RECOVERY

GROCERY & RETAIL AT-STORE DROP-OFFS OR PLASTIC FILM FROM BUSINESSES

1. Train employees to identify what films are recyclable:

Recycle plastic grocery and retail bags, stretch or pallet wrap, newspaper bags, or film that is labeled with #2 or #4.



AVOID food wrap (e.g. Saran Wrap) and any film that has had direct contact with food or any organic material.

2. Identify the estimated quantity of film generated per month—loose film averages 24 lbs/cu.yd. To access an online calculator tool to estimate amounts generated, go to www.plasticbagrecycling.org.

3. Once you determine the amount of film and bags your business generates, ask your hauler if they accept loose film for recycling—alone or with cardboard.

4. You will need to collect and compact film for pick up. Use clear #4 plastic bags and clear bins with bold signage to designate recycling. If your volume is high, it might make sense to invest in a baler and consider backhauling to a central distribution center. For assistance, contact **888-753-7485**.



5. If you set out bins for customers to recycle bags, be sure to include **clear signage** at the bin opening so customers know that it's for recycling—not garbage.

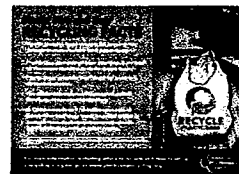
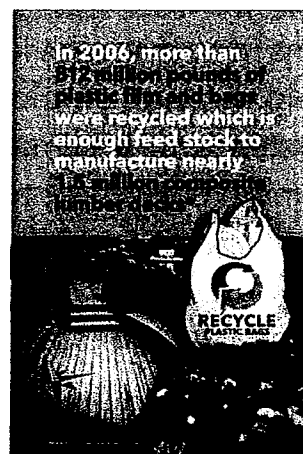
6. Place recycling bins near main entrance for convenient customer access.

7. Assign a designated staff person to monitor recycling bins: empty bins regularly and remove contamination.

8. Plan how to consolidate material. Move material from customer drop off point to designated bins in the back of your business for storage. Make sure employees know storage bin is for recycling—not waste. (Employees often accidentally throw trash into bags of film that are left out for recycling.)

9. Store consolidated bags and film material in a clean, dry place.

10. Call or email for information about signage.

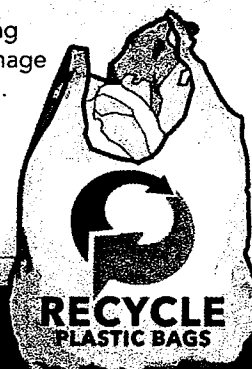


11. Keep employees informed on how the recycling program is going and how much film is being recycled. Congratulate them on their contributions to the program.

12. Re-educate employees annually and **ALWAYS** educate new employees.

For additional information, including markets, film identification, and signage go to www.plasticbagrecycling.org.

For personal assistance, please call 888-753-7485 or email help@plasticbagrecycling.org



Recovering plastic bags and film is a great way to save money and help your community meet recycling goals.

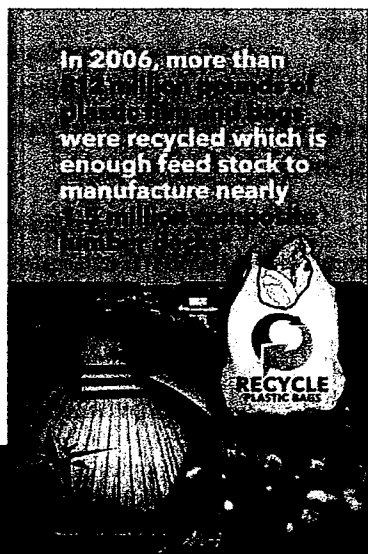
Entrances and Exits

Consumers want to know where they can recycle their plastic bags. In addition to providing recycling bins in convenient locations, grocers and retailers can help through employee and consumer education. Posters and well-marked recycling bins near entrances remind customers to return bags for recycling.

- Conveniently locate garbage cans for consumers to place their trash
- Ideally, locate garbage cans so consumers reach it before reaching the plastic bag recycling bin to avoid contamination
- Use transparent bins and transparent bags to enable better quality control
- Place signage near the recycling bin opening to deter consumers from putting trash in the bin
- Avoid recycling bins that resemble garbage cans.

Window Posters (16" x 24")

4



1

Recycling Bin

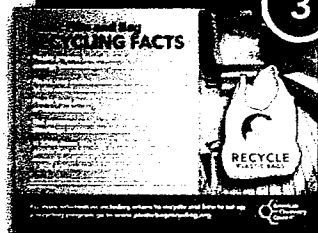
Recycling Bin Sign Stand (11" x 17")

2



3

Recycling Bin Facts Decal (7" x 5")



Visit www.plasticbagrecycling.org for information on how to order materials



2

3

4

1

Checkout Stations

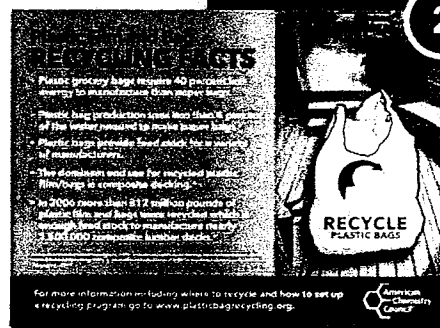
In addition to posters at entrances, simple decals near bag stands and buttons on cashiers and baggers serve to inform customers that plastic bags are recyclable at your store. Also consider a decal with recycling facts at the cashier stand.

Employee training is essential to the success of at store recycling programs. Make sure employees are aware of the recycling protocol. Have them point out the availability of store recycling bins and mention www.plasticbagrecycling.org.

Checkout Decal



2



Recycling Facts Decal (7" x 5")

3

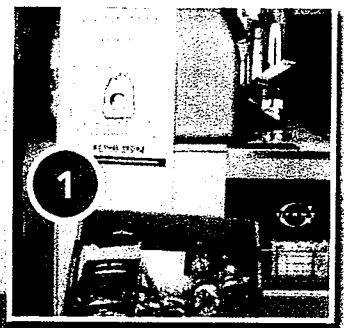
Employee Button (3")

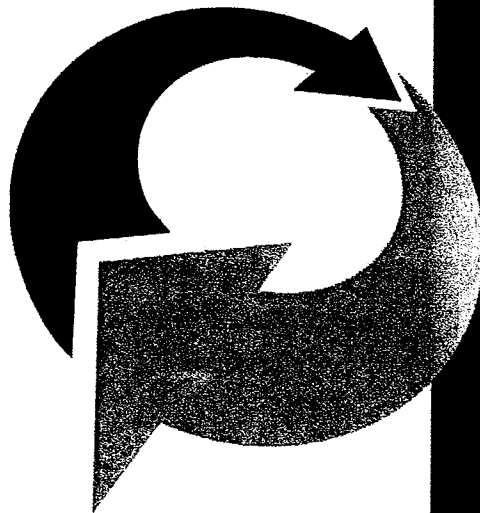


Visit www.plasticbagrecycling.org for information on how to order materials



2





Bags

Bag marks are another way to educate the consumer. Consider using a mark like the ones below on plastic shopping bags. You can ask your bag supplier to help.

In California and New York City retailers are required to include recycling information and specific wording on plastic grocery bags provided to consumers. The bag marks displayed here comply with those requirements. Requirements may vary based on where your store is located so always check the labeling on your bags with qualified experts for your specific location.



Visit www.plasticbagrecycling.org for information on how to order materials





Visit www.plasticbagrecycling.org for information on how to order materials

Brag **ABOUT YOUR** **BAG**

prevent pollution. reuse your bags.
www.bragaboutyourbag.com



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

February 2, 2009

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS – QUARTERLY PROGRESS REPORT NO. 4

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer to implement the Program, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed staff to provide quarterly progress reports to the Board and to interested stakeholders (attached).

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. The quarterly report provides a summary of our efforts to implement the EPS program since our November 21, 2009 status update.

Single Use Bag Reduction and Recycling Program

Working Group and Subcommittees

During this reporting period the Working Group and three subcommittees convened on an alternating monthly basis. These meetings were attended by a wide range of stakeholders including representatives from the California Grocers Association (CGA), plastic bag industry, cities, environmental organizations, the Office of Assembly Member Mike Davis, schools, a magazine publication, and various governmental entities. The Working Group and subcommittees further developed Program components including strategies for increasing store participation, implementing public education and outreach, and providing incentives to decrease single use bag consumption and promote reusable bags.

"To Enrich Lives Through Effective And Caring Service"

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Program Activities and City Participation

Program highlights during this quarter are as follows:

- On November 7, 2008, staff participated in a Local Government Breakfast meeting hosted by CGA in Pasadena. Supervisor Michael D. Antonovich addressed the group of managers and directors from various grocery store chains, including Vons, Albertsons, and Gelson's. Public Works provided a presentation to raise Program awareness, encourage store participation, and reaffirm the County's support of store efforts.
- On November 17, 2008, the City of Pomona adopted a Resolution supporting the Program, becoming the County's tenth partner city. Other cities include Azusa, Bell, Glendale, Hermosa Beach, Lomita, Pico Rivera, Redondo Beach, Santa Fe Springs, and Signal Hill.
- On December 18, 2008, your Board adopted a resolution proclaiming the third Thursday of December, each year, as "A Day Without a Bag" throughout Los Angeles County, and urged shoppers to forgo single use carryout bags in favor of reusable bags. Staff also participated in Heal the Bay's press conference at the Northridge Fashion Center. Speakers included Supervisor Zev Yaroslavsky and Mayor Antonio Villaraigosa of the City of Los Angeles. Public Works also supplied over 5,000 reusable bags, which were given away to shoppers at various locations throughout the County on this day.
- Store site visits were conducted, with concurrence of CGA, at 13 unincorporated County area stores during this quarter. Visits focused on discussing Program goals and components; providing stores with outreach materials from the American Chemistry Council to enhance plastic bag recycling; inquiring about obstacles that make implementing Program components difficult; and establishing effective working relationships.
- In December 2008, staff facilitated publication of a feature article about the Program in "California Verde" magazine. This Spanish-language magazine covers various "green" issues to promote environmental stewardship among Spanish-speaking communities in the region. The article described the goals and components of the Program, and encouraged consumers to utilize reusable bags and to recycle their plastic bags.

Community Outreach and School Programs

Efforts to reach out to communities and schools have continued as public outreach and participation are essential to the success of this Program. Specific efforts include:

- On January 27, 2009, DPW presented the Program at the meeting of the Florence-Firestone Community Enhancement Team. Discussion included gauging the extent to which single use bag litter impacts the community; identifying factors and issues that may contribute to litter; and developing initiatives to facilitate community participation in anti-litter campaigns, reusable bag giveaways, and other strategies to stimulate Program implementation.
- On February 7, 2009, DPW will distribute Program outreach materials and reusable bags at the Los Angeles Unified School District's Academic Decathlon event at the University of Southern California.

- In February 2009, Supervisor Gloria Molina will launch a school-based program to educate elementary school students about the environmental impacts of single use bags. School assemblies are planned in partnership with Heal the Bay and DPW, and presentations will include discussions on the harmful aspects of single use bag litter on the environment and guidance on how to protect and preserve the environment through source reduction, materials reuse, and recycling.

Category 2 and 3 Stores in the Unincorporated County areas

Upon fully implementing the Program objectives among Category 1 large supermarkets within the unincorporated County areas, Program effectiveness will be evaluated by the Working Group, which will then determine the viability of expanding the Program to include Category 2 convenience and franchise stores and Category 3 small stores in the unincorporated County.

Expanded Polystyrene Food Containers

On October 15, 2008, a status report to your Board on EPS food containers identified the need for an in-depth analysis of current EPS usage with respect to safety, functionality, cost, and environmental compatibility to aid in identifying effective alternatives. The report concluded that a consultant should be retained to assist with this analysis.

Consultant Study

On December 2, 2008, ISD retained a consultant, Responsible Purchasing Network (RPN), to conduct a study entitled, "EPS Food Containers Alternative Products Analysis and Life-Cycle Assessment." Specific deliverables from RPN will include the following:

- Task 1 - Consumption Baseline: Data on current EPS usage at County operations will be compiled including quantities, costs, types of products, and suppliers. Task 1 is expected to be completed in February 2009.
- Task 2 - Product Function Analysis: Function types for current EPS food containers will be identified, including critical function requirements (e.g. hot meals for inmates), and prioritized based on consumption quantities and projected environmental impacts. Task 2 is expected to be completed in March 2009.
- Task 3 - Alternative Products Listing: A prioritized list of alternative products will be compiled for County departments, including wholesale pricing from suppliers. The County's product preference hierarchy will be used as a guide in developing the list of feasible alternative products. Task 3 is expected to be completed in April 2009.
- Task 4 - Life-Cycle Environmental Assessment: An environmental life-cycle assessment (LCA) of the baseline products will be conducted using current departmental consumption data. Additional LCAs will be conducted on proposed priority alternative products, and the results will be compared to findings of the baseline LCA. Task 4 is expected to be completed in May 2009.

Phasing Out EPS Food Containers at County Facilities

Upon completion of the consultant study in May 2009, departments would procure alternative products, including amendments to any existing contracts as appropriate. The effective date for phasing out EPS food containers at County facilities will be August 1, 2009.

Phasing Out EPS Food Containers at Food Service Establishments and Retail Stores in the Unincorporated County Areas

Upon full implementation at County facilities, the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. LCA findings will also be considered. Based on this evaluation, the feasibility of further expanding the EPS restriction to the unincorporated County area retail stores and food service establishments will be determined.

EPS Recycling

Concurrent with efforts to develop alternatives to EPS food container products, the viability of recycling EPS food containers generated from County facilities is also being investigated. Staff visited three privately-owned companies to more fully understand EPS recycling processes. Packaging Development Resources (PDR) in Santa Ana recycles EPS food containers through a process that involves washing, grinding, heating, and crystallizing raw materials into resin, which can then be used to make food containers or other products such as molding and packaging. The DART Container Corporation in Corona collects, compresses and transports EPS materials to other companies for recycling. The Natural Environmental Protection Company in Chino sells machinery that crushes and compresses EPS into densely packed molds for space efficient storage and fuel-efficient transport. Such EPS recycling processes will continue to be evaluated to assess their applicability to County operations.

The Sheriff's Department is coordinating with PDR to determine the viability of recycling their EPS food trays and product packaging. The Sheriff is developing the operational structure to support such an effort, including collection points, transportation, and other logistics. County Counsel is determining the method of formal agreement needed to support this operation. Updates on this effort will be provided in subsequent Quarterly Progress Reports.

Summary

The next quarterly report will be submitted to your Board by May 1, 2009. If you have any questions regarding this progress report, please contact me, or your staff may contact Burt Kumagawa of this Office at (213) 893-9742, or by e-mail at bkumagawa@ceo.lacounty.gov.

WTF:LS
DSP:BK:ib

Attachment

c: Executive Officer, Board of Supervisors
 County Counsel
 Sheriff
 Acting Director of Health Services
 Director of Public Works
 Director of Internal Services
 Director and Health Officer of Public Health
 Treasurer and Tax Collector
 Sanitation Districts of Los Angeles County

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> Public Works (DPW) compiled a database of Category 1 stores. This list of stores is being updated as data is received from the California Integrated Waste Management Board and through store site visits. Category 1 stores are defined as large supermarkets having gross annual sales of \$2 million or more and retail stores greater than 10,000 square feet with a licensed pharmacy. Completed the measurement methodology; final recommendations were incorporated into the Resource Packet that was sent to stores and partner cities on August 21, 2008. Staff is working with stakeholders to develop means for obtaining reliable reuse and curbside recycling data. Additional research is being done to obtain at-store plastic bags collection and recycling data. Completed the menu of store-specific program components and incorporated final recommendations into the Resource Packet. Staff has conducted store site visits to obtain additional survey information and provide technical support. Completed the minimum store participation levels and incorporated final recommendations into the Resource Packet. Participation levels will be incorporated into the selection criteria for recognizing and awarding store participation in the Program. Store site visits will focus on confirming that stores are currently meeting or aiming to meet minimum participation levels.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts (continued) <ul style="list-style-type: none"> Develop an environmental awareness message to be printed on each plastic bag. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> Completed the development of environmental awareness messages in consultation with stakeholders. Final recommendations were incorporated into the Resource Packet. While state legislation requiring environmental awareness messages on plastic bags was not approved during the 2007-08 Legislative Session, the Working Group continued to discuss ways to use the messages, such as on reusable bags for other outreach materials as appropriate. Reusable bags and other materials distributed at outreach events currently display, and will continue to include, environmental awareness messages.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	July 1, 2008; will work with consultant and Working Group on detailed campaign	<ul style="list-style-type: none"> Completed development of public education campaign strategies and incorporated final recommendations into the Resource Packet. The Working Group continues to develop outreach materials and activities, including school contests and targeted outreach, as well as fact sheets, brochures, and educational or promotional items. A consultant will be retained to further develop and conduct the public education campaign beginning August 2009. On December 18, 2008, 5,000 reusable bags were distributed as part "A Day Without a Bag". In conjunction with the event, your Board adopted a resolution declaring the third Thursday in December each year as "A Day Without a Bag" in the County. On January 27, 2009, staff attended the Florence-Firestone Community Enhancement Team meeting to promote the Program to the community.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> Develop a Store Recognition Program. Identify litter hot spots and develop a focused anti-litter campaign. Maximize recycled content and promote recycling markets for all single use bags. Ban plastic carryout bags at County facilities. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>To Be Determined</p>	<ul style="list-style-type: none"> Completed and incorporated the Store Recognition Program into the Resource Packet. Award guidelines, including store recognition details, are currently being developed. Completed identification of litter hot spots, drafted an anti-litter campaign and incorporated it into the Resource Packet. Hot spots will continue to be updated or identified as appropriate. The anti-litter campaign will be an ongoing effort coordinated with partner cities and other jurisdictions. DPW will be contacting the City of Los Angeles and partner cities about this effort. Staff will attend community meetings to promote the goals of the Program, specifically targeting communities with litter hot spots. Completed strategies for maximizing recycled content and promoting recycling markets for all single use bags; incorporated final recommendations into the Resource Packet. The Working Group has had discussions with plastic bag manufacturers and paper bag manufacturers for input. Staff will continue to coordinate with both plastic and paper bag manufacturers to enhance program effectiveness. The Working Group continues to evaluate the feasibility of banning plastic carryout bags at County facilities. An initial survey of County departments determined that only a handful of departments use plastic carryout bags - the Sheriff, Parks and Recreation, and Community and Senior Services being the most extensive users. Staff will focus on these departments in evaluating the viability of alternative products.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> Continue to encourage cities to join Program. Expand Program to Category 2 and Category 3 stores. 	<p>Ongoing</p> <p>July 2009</p>	<ul style="list-style-type: none"> As of January 31, 2009, the cities of Azusa, Bell, Glendale, Hermosa Beach, Lomita, Pico Rivera, Pomona, Redondo Beach, Santa Fe Springs, and Signal Hill have adopted resolutions to join the Program. Since these stores are not currently subject to the State's at-store bag recycling or reporting requirements, it would be challenging to require them to comply with prescribed disposal reduction benchmarks. The Working Group will continue to evaluate options and incentives to incorporate these stores into the Program on a voluntary basis. Some of the checklists and site visits involved Category 2 and 3 stores. Preliminary feedback indicates that these smaller stores do not administer incentive programs for reusable bags and have not incorporated many Program components.
County Ordinance: Enforcement of Benchmarks <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 30 percent reduction by July 1, 2010 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>	<p>April 1, 2010</p>	<p>County Counsel has not yet commenced preparation of the draft ordinance as it is not required until April 1, 2010. Consideration of the draft Ordinance will require California Environmental Quality Act (CEQA) compliance.</p> <p>On July 17, 2008, a group called "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008 action adopting the voluntary program. County Counsel filed a demurrer motion on a number of grounds.</p> <p>On January 27, 2009, the Court granted the County's demurrer to the CEQA writ cause of action with leave to amend on the basis that the Coalition has not alleged sufficient facts to show it has</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
		<p>CEQA standing. The Court did grant the Coalition an opportunity to cure this defect by filing an amended Petition for Writ within ten days from January 27, 2009.</p> <p>The scheduled trial/hearing dates have been taken off calendar pending the Coalition's filing of an amended Petition for Writ.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	No due date specified	County Counsel has not yet commenced preparation of an ordinance. We are considering a proposed ordinance that addresses both benchmarks and the environmental message.
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a point-of-purchase fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	2008 Legislative Year	<p>All legislation pertaining to plastic bags stalled at the end of the 2007-08 Legislative Session. As indicated in the CEO's October 31, 2008, we continue to advocate for the policies as directed by your Board during the 2009-2010 legislative session.</p> <p>We are supporting the provisions of the consensus bill that had the support of key sponsors and stakeholders at the end of the 2007-08 Legislative Session, which included:</p> <ul style="list-style-type: none"> • A per transaction fee cap • Funding returned to individual stores • Per capita funds for local governments and competitive grants for local governments and non-profit organizations • Fee exemptions for Women, Infants, and Children (WIC) or food stamp program participants.

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SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
Board adopted State Legislative Position to Reduce Plastic Bag Litter (continued)		In December 2008, County staff met with representatives of Heal the Bay and Assembly Members Davis and Brownley, the two remaining co-authors of the plastic bag legislation from last session. While agreement was achieved on virtually all policy issues, there was disagreement over who would introduce the legislation this session. As a result, both Assembly Member Brownley (AB 68) and Davis (AB 87) introduced nearly identical bills. The two bills are likely to be merged as this issue is advanced.
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>Since early 2008, the following cities have taken action to ban the use of plastic bags, and in some cases, paper bags as well:</p> <ul style="list-style-type: none"> • Gardena • Los Angeles • Malibu • Manhattan Beach • Santa Monica 	Not Applicable	<p>On April 17, 2008, the Superior Court agreed with the plastic bag industry and ruled that the City's ordinance did not comply with CEQA, thus voiding the City's ordinance. The City is evaluating whether to contest the court's ruling, or pursue completion of CEQA environmental documentation. This process would delay the implementation of the ordinance by at least a year and may cost upwards of \$100,000 to complete. The City of Oakland has not taken any reportable action.</p> <p>On July 22, 2008, the Los Angeles City Council voted to ban plastic bags throughout the City by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time. They also voted to support AB 2058, provided that it is amended to eliminate the 70 percent reduction mandate, and instead require stores to charge 25 cents per bag for all paper, plastic or other single use bags distributed; and that most of the revenue was returned to local governments on a per capita basis.</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

SINGLE USE CARRYOUT BAGS		
PROGRAM ELEMENT	DUE DATE	STATUS
City Actions and Related Litigation (continued)	Not Applicable	<p>The same action also included recommendations to phase-out EPS food containers throughout City operations over the next two years as follows:</p> <p style="padding-left: 40px;">By July 1, 2008 for City departments By July 1, 2009 for City-permitted events By July 1, 2010 for lease and concession agreements</p> <p>The Save the Plastic Bag coalition has filed a lawsuit challenging actions by the City of Manhattan Beach, contesting whether the city complied with all necessary CEQA environmental documentation. They are threatening similar lawsuits to the Cities of Gardena, Malibu, and Santa Monica.</p> <p>The City of Manhattan Beach initially did not complete any environmental documentation when banning plastic bags, however following a threat of a CEQA lawsuit by the coalition, they drafted a negative declaration, then went on to adopt the Ordinance. The coalition subsequently filed suit claiming the need for a full EIR prior to the adoption, and requesting a temporary injunction. On December 18, 2008, a judge approved the coalition's request for an injunction to the City's Ordinance. In issuing the ruling, the judge noted the likelihood that a full EIR would be required in this case. We will continue to monitor the case.</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>May 2008 (prior target date; revised dates indicated below by Program Element)</p>	<p>An October 15, 2008 status report to your Board, which included the DPW staff report, provided an update on each of the Board actions concerning EPS food containers. The Status Report recommended the following:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of a life cycle analysis by a consultant to examine the comparative environmental impacts of EPS and alternative products. <p>In order to allow sufficient time for departments to procure alternative products and amend existing contracts, an effective date of August 1, 2009, was recommended for the phase-out of EPS food containers at County facilities.</p>

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. • Energy & Environment Team to develop EPS outreach program and inform departments. • Consultant to complete study and life cycle analysis. • Energy & Environment Team to provide semi-annual reports for three years on progress of implementing the restriction at County operations. • The Working Group to continue exploring opportunities to enhance public education/outreach on alternatives to EPS products. • DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff and/or Health Services. 	October 2008	ISD incorporated the alternative product hierarchy into the County's "Green Purchasing" Policy on October 28, 2008.
	November 2008	The consultant contract was executed on December 2, 2008.
	March 2009	Energy & Environment Team will discuss strategies and methodologies during the next team meeting.
	May 2009	DPW is overseeing the consultant's efforts to deliver services.
	Every six months for three years	Energy & Environment Team to identify key staff responsible for completing semi-annual progress reports. Staff attended the January 28, 2009 Team meeting and will continue to coordinate with Team members to develop reporting protocol.
	No date specified	The Working Group will continue to collaboratively develop outreach materials to enhance public awareness and receptiveness on reducing the environmental impacts of litter from EPS food containers. Proposal to develop outreach materials specifically for EPS litter will be discussed by the next Working Group meeting on March 18, 2009.
	June 2009	DPW will work with the Sheriff, Health Services, and local recyclers to determine if an EPS food container program will be recommended for implementation. Staff is working with the Sheriffs, an EPS recycling company, PDR, and County Counsel to implement a pilot EPS recycling program.

**SUMMARY OF COUNTY EFFORTS TO ADDRESS
SINGLE USE CARRYOUT BAGS AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS**

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
Phasing Out EPS Food Containers in Unincorporated County Areas <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life-cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including changes to the County Code as required. 	<p>No date specified</p> <p>January 2010</p> <p>Spring 2010</p>	<p>Upon full implementation of alternative product use at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. Based on this evaluation, the feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with key stakeholders.</p> <p>The consultant's analyses will be completed in May 2009.</p>
Board adopted State Legislative Position to Reduce EPS Food Container Litter <ul style="list-style-type: none"> The CEO and DPW will continue to monitor legislation introduced in future years related to EPS. Require State agencies and contractors to utilize alternatives to EPS food container products. 	<p>No date specified</p> <p>2008 Legislative Year</p>	<p>We will continue to advocate for the policies as directed by the Board during the upcoming legislative session.</p> <p>County-sponsored AB 820 (Karnette) aimed to prohibit a State facility from selling, possessing, or distributing EPS food containers after January 1, 2009. State agencies would have been directed to require prospective contractors to certify that they would not sell, possess, or distribute an EPS food container at a State facility. AB 820 was not approved in the 2008 legislative year.</p>



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles
CHIEF EXECUTIVE OFFICE

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August 3, 2009

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

**SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED
POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 6**

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer to implement the Program, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed staff to provide quarterly progress reports to the Board and to interested stakeholders (Attachment I).

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Activities and City Participation

During this reporting period, the Working Group and subcommittees convened on an alternating monthly basis. Meetings were attended by representatives from Albertsons, plastic bag industry groups, environmental organizations, waste management industry groups, a magazine publication, and various governmental entities. The Working Group

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further implemented Program components by disseminating outreach materials, attending community events, working with cities, visiting stores, and providing and soliciting support for related legislation.

Partner cities have implemented public education and outreach efforts to encourage community participation, including the following:

- Azusa - produced a recycling/conservation brochure that also promotes use of reusable bags.
- Glendale - developed a public service announcement on the topic of single use bags to air on the city's cable TV channel and to be distributed to local stores.
- Hermosa Beach - established a committee to focus on community outreach and implementation of Program components.
- Pico Rivera - distributed recycled-content, reusable bags at a city event on June 6, 2009.

Staff also continued to seek support for AB 87, the County-sponsored legislation, from all cities within the County, and partner cities Glendale and Pico Rivera sent support letters. Unfortunately, the legislation stalled in the Assembly Appropriations Committee and thus cannot be acted upon until January 2010.

In cooperation with the California Grocers Association, staff continued to visit unincorporated County area stores. The visits have been beneficial in facilitating discussions with store managers to encourage Program participation and provide resource information. Field verifications have also enabled staff to confirm and update store listings, as many stores have changed businesses, ceased operations, do not meet the Program definition of retail stores, or were not originally identified. Of the 166 stores listed to date, 71 qualify as Category 1 stores; 43 qualify as Category 2 or 3 stores; and 52 are either no longer in business or are located in an incorporated city.

The American Chemistry Council's consultant, Plastic Recycling Corporation of California, joined staff in visiting some Category 1 stores, which were provided with additional information and assistance to enhance their plastic bag recycling programs.

Community Outreach

Outreach to communities continues as we develop plans for an ambitious public education campaign at the end of the year that seeks to build on the success of the "A Day Without A Bag" promotion. This campaign, which will promote the use of reusable bags and at-store recycling of single use bags, leverages partnerships with stores, media, environmental organizations, and industry to expand the reach and increase the effectiveness of the Program. A meeting to initiate store partnerships was conducted on July 29, 2009.

Staff also distributed educational and promotional materials, including the Brag About Your Bag® reusable bags, at 10 community and environmentally-focused events, which included:

- Supervisor Yaroslavsky's Topanga Service Fair Event on May 16, 2009.
- The 7th Annual Commissioners Leadership Conference at the Music Center on May 21, 2009.
- The Department of Public Works hosted "Get Hip, Go Green" events in the unincorporated communities of East Los Angeles, Bassett/Valinda/San Jose Hills, Walnut Park, and Mesa Heights from June 6, 2009 through July 11, 2009.

A Spanish-language ad was published in California Verde magazine (June/July edition).

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report (EIR) prior to adopting their ordinance to ban plastic bags. This is similar to an August 2008 ruling requiring the City of Oakland to complete an EIR prior to adopting a similar ordinance.

County Counsel is drafting an ordinance to ban plastic bags to be considered by your Board. Accordingly, we are working with County Counsel, DPW, and a consultant to prepare a Countywide EIR, which will be submitted for consideration with the draft ordinance in July 2010.

Category 2 and 3 Stores in the Unincorporated County Areas

Upon fully implementing the Program objectives in Category 1 supermarkets and large drugstores within the unincorporated County areas, the effectiveness of the Program will be evaluated by the Working Group. The evaluation will assist in determining the viability of expanding the voluntary Program to include Category 2 convenience and franchise stores, and Category 3 small stores in the unincorporated County.

Expanded Polystyrene Food Containers

Consultant Study

Responsible Purchasing Network (RPN) completed a study in July 2009 entitled, "EPS Food Containers Alternative Products Analysis and Life-Cycle Assessment." The study identified current EPS usage with respect to safety, functionality, cost, and environmental compatibility. It also identified effective alternative food containers currently available for use by County departments. Based on the study, as well as independent research by RPN regarding best practices and potential impacts of food service ware products, a "Responsible Purchasing Guide to Food Containers" was developed. According to the life-cycle data provided, RPN concludes that the waste management of any food service container is a key factor in its emissions footprint.

Specifically, RPN recommends that Los Angeles County and its contractors:

- Cease the purchase and use of EPS food containers at all County operations.
- Use reusable food containers wherever feasible.
- Use food containers made from bagasse and other agricultural waste products wherever reusables are not feasible and disposables will be composted or landfilled.
- Use food containers made from paper wherever reusables are not feasible and disposables will be recycled.
- Use cups made from polylactic acid (PLA) for cold beverages wherever reusable products are not feasible.

Feasibility of Phasing Out EPS Food Containers at County Facilities

The consultant's recommendations will be discussed among the Working Group in August 2009, and a recommendation will be presented to your Board in September 2009. The anticipated effective date for phasing out EPS food containers at County facilities is November 1, 2009, at which time departments would use up existing supplies and begin procurement of new products based on recommendations of the study.

Feasibility of Phasing Out EPS Food Containers at Food Service Establishments and Retail Stores in the Unincorporated County Areas

In collaboration with the Working Group, the effectiveness of alternatives to EPS food containers will be evaluated after implementing alternatives at County facilities. Findings from the Life-Cycle Assessments of baseline and alternative products will also be considered. The feasibility of expanding the EPS restriction to unincorporated County retail stores and food service establishments will be determined based on this evaluation.

EPS Recycling

Concurrent with efforts to develop alternatives to EPS food container products, the viability of recycling EPS food containers generated from County facilities has been investigated. We have determined that certain County operations provide an opportunity to fully and separately collect EPS materials for recycling by an outside vendor at no cost. The Sheriff's Department, Internal Services Department (ISD), County Counsel, DPW, and CEO collaborated to develop the scope of work for a one-year contract to recycle EPS material from Sheriff facilities. Services would include routine collection of post-consumer polystyrene food trays and product packaging for recycling.

The contract also provides the County with the option, upon mutual agreement by the selected vendor, to extend the agreement for up to two additional one-year periods and/or expand the effort to other County facilities. ISD is in the process of soliciting bids and expects to have an executed contract by the end of August 2009.

Each Supervisor
August 3, 2009
Page 6

Summary

Attached is a more detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by November 1, 2009. If you have any questions regarding this progress report, please contact me, or your staff may contact Burt Kumagawa at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacounty.gov.

WTF:LS
DSP:BK:os

Attachment

c: All Department Heads
Sanitation Districts of Los Angeles County
Sapphos Environmental, Inc. (M. Campbell)

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing has been updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display prominent anti-litter messages or other environmental outreach. Participation levels will be considered in the selection criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Program website, reusable bags, brochures, and other outreach materials distributed at community events and shared with partner cities. In addition, we will enhance our efforts to have stores voluntarily add messages to each single use plastic carryout bag.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> Staff is working with the City of Glendale to share their public service announcement with County partners, including stores. The Working Group is collaborating with stores, non-profit organizations, and the media to develop a public education campaign scheduled to run from America Recycles Day on November 15, 2009, through A Day Without a Bag on December 17, 2009. Residents will be asked to bring in plastic grocery bags for recycling in exchange for free reusable bags.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued)		
<ul style="list-style-type: none"> Develop a Store Recognition Program. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> Store evaluation sheets will be reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet.
<ul style="list-style-type: none"> Identify litter hot spots and develop a focused anti-litter campaign. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> The Working Group is considering the viability of conducting outreach for the store campaign through store advertisements and radio. Staff is developing an ad to be aired in August/September 2009 on the County's TV Channel bulletin board.
<ul style="list-style-type: none"> Maximize recycled content and promote recycling markets for all single use bags. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single-use plastic bags; they have recently provided samples of plastic bags made of 100% recycled agricultural film.
<ul style="list-style-type: none"> Ban plastic carryout bags at County facilities. 	To Be Determined	<ul style="list-style-type: none"> A survey of County departments revealed that use of plastic carryout bags is minimal. We are working through our network of departmental recycling coordinators, ISD Purchasing Division, and the Energy & Environment Policy Team to ensure single use bags are discontinued from use at County operations and events.
<ul style="list-style-type: none"> Continue to encourage cities to join Program. 	Ongoing	<ul style="list-style-type: none"> Staff continues to contact cities to expand the reach of this voluntary Program. Ten cities continue to partner with the County on the Program; information was recently sent to 15 additional cities that have expressed interest.
<ul style="list-style-type: none"> Expand Program to Category 2 / Category 3 stores. 	July 2009	<ul style="list-style-type: none"> These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>	<p>April 2010 (prior target date; revised to July 2010)</p>	<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) will be prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings, incorporate feedback from stakeholders, and hold public comment and community meetings after the holiday season, the EIR and ordinance will be submitted to your Board for consideration in July 2010.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. No settlement has been reached as of this date. Concurrently, the parties are moving forward in setting a briefing schedule for the CEQA writ filed by the Coalition, which is set to be heard on October 23, 2009. If there is no amicable resolution of the action prior to this date, the Court will hear arguments and rule on the merits of the writ.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	<p>No due date specified</p>	<ul style="list-style-type: none"> • Since an ordinance banning plastic bags would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. In the interim, we will enhance our efforts to have stores voluntarily add messages to each single use plastic carryout bag.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> Repeal State law that prevents local government from imposing a fee on plastic carryout bags. Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	<p>2009 Legislative Year</p>	<p>County-sponsored AB 87 (Davis), which has become a two-year bill and will be taken up again in January 2010, includes the following key provisions:</p> <ul style="list-style-type: none"> A per bag fee Percentage of fee revenue returned to individual stores Percentage of fee revenue distributed to local governments on per capita basis Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation. <p>AB 68 (Brownley), which contains similar provisions to AB 87, has also become a two-year bill.</p>
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p>	<p>Not Applicable</p>	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>City Actions and Related Litigation (continued)</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> • By July 1, 2008 for City departments • By July 1, 2009 for City-permitted events • By July 1, 2010 for lease and concession agreements <p>Since 2008, the following cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Gardena • Palo Alto • Manhattan Beach • Santa Monica 	<p>Not Applicable</p>	<p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision. The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>Subject to approval by your Board, November 1, 2009 is recommended for the phase-out of EPS food containers at County facilities. We are working with ISD, the Energy & Environment Policy Team, and Departmental Recycling Coordinators to prepare for this potential action.</p>
<p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. 	<p>October 2008</p>	<ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study will be incorporated into this policy as applicable.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued) <ul style="list-style-type: none"> • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. • Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. • Consultant to complete study and life cycle analysis. 	<p>November 2008; Ongoing</p> <p>March 2009</p> <p>July 2009</p>	<ul style="list-style-type: none"> • Findings from the consultant's study will be discussed with the Working Group in August 2009; recommendations will be presented to the Board in September 2009. • On July 29 2009, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. Public Works also distributed a fact sheet and contact info to participating Department representatives. • Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. • RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. • RPN recommends that the County and its contractors: <ul style="list-style-type: none"> – Cease purchase and use of EPS food containers at all County operations. – Use reusable food containers if feasible. – Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. – Use food containers made from paper if reusables are not feasible and disposables will be recycled. – Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible. • Progress reports will also include any impacts to departmental operations; the first progress report, assuming that a restriction is effective November 1, 2009, would be submitted by May 1, 2010.
<ul style="list-style-type: none"> - Task 1: Establish consumption baseline - Task 2: Analyze products by function - Task 3: Develop alternative products listing, pricing - Task 4: Life-cycle assessment of baseline products and proposed alternative products - Task 5: Final Report 	<p>Every six months for three years</p>	<ul style="list-style-type: none"> • EET to provide semi-annual progress reports for three years on implementing the restriction at County operations.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued) <ul style="list-style-type: none"> Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. 	<p>No date specified</p> <p>August 2009</p>	<ul style="list-style-type: none"> Materials to enhance public awareness and receptiveness to reducing EPS food container litter will be developed. Staff developed a scope of work for EPS food container recycling program, ISD is in the process of soliciting bids; an executed contract is expected by August 2009.
Phasing Out EPS Food Containers in Unincorporated County Areas <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 	<p>No date specified</p> <p>January 2010</p> <p>Spring 2010</p>	<p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS -- COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> • The CEO and DPW will continue to monitor legislation introduced in future years related to EPS. • Require State agencies and contractors to utilize alternatives to EPS food container products. 	<p>No date specified</p> <p>2009 Legislative Year</p>	<p>AB 1358 has been moved to the Assembly Inactive File.</p> <p>Assembly Members Hill and Nava introduced AB 1358, which would have prohibited food vendors from dispensing prepared food to customers in disposable EPS food containers. When originally introduced, the bill prohibited State facilities from using EPS food containers, but this stipulation has been subsequently removed from the bill. AB 1358 has been moved to the Assembly inactive file.</p>



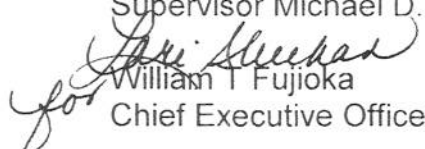
County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

November 25, 2009

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From:  William T. Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 7

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Activities and City Participation

During this reporting period, the Working Group convened on a monthly basis. Meetings were attended by representatives from Albertsons and Ralphs Supermarkets, plastic bag industry groups, environmental organizations, waste management industry groups, and various governmental entities. The Working Group further implemented Program components by disseminating outreach materials, attending community

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events, working with cities, visiting stores, and soliciting partnerships/sponsorships for the public education campaign. Specifically, staff from the Department of Public Works (DPW) distributed educational and promotional materials, including approximately 1,400 Brag About Your Bag[®] reusable bags, at nine community and environmentally focused events, and worked with our partner cities to expand the reach of the month-long Brag About Your Bag[®] campaign (Attachment I).

Store Participation

Participation in the Program by Category 1 stores has been poor. In August 2008, in cooperation with the California Grocers Association (CGA), DPW sent a Program Resource Packet to each Category 1 store in the County unincorporated areas. DPW staff followed up with visits to the 67 stores in the unincorporated County to provide Program information and offer technical assistance. Currently, only three of the 73 Category 1 stores in the unincorporated County meet the minimum level of participation (Bronze Store – see Attachment II for a description of participation levels and Attachment III for a list of Category 1 stores by Supervisorial District). In addition, DPW staff visited over 200 stores in the County unincorporated area from December 2008 to August 2009, eliminating stores that did not qualify because of jurisdictional or operational status. Accompanied by a consultant representing the American Chemistry Council, DPW staff also revisited stores that were found to be missing recycle bins and advised them on methods to obtain recycling service. While the County will continue to reach out to CGA and individual stores to encourage their implementation of Program components to enable them to achieve the minimum participation level, new strategies will be considered in consultation with the Working Group.

In February 2009, DPW received the At-Store Recycling Program 2007 Report from the California Integrated Waste Management Board (CIWMB). The Report, which includes weights of plastic bags purchased and plastic bags recycled during the period July 2007 through December 2007, only provided data for one individual store in the unincorporated County, as well as aggregate quantities from store chains with multiple locations throughout California. In April 2009 and subsequently in August 2009, DPW requested additional information from the CIWMB in order to determine consumption and recycling quantities for the unincorporated County areas.

In particular, DPW is seeking supplemental information regarding store locations, bag recycling, unreported data, and the At-Store Recycling Program 2008 Report in order to compare individual store performance to 2007 levels and validate whether the program goals are being achieved.

Community Outreach

Outreach continues as the County commences an ambitious public education campaign that seeks to build on the success of Heal the Bay's "A Day Without A Bag" promotion. The "Brag About Your Bag[®]" Campaign, which will promote the use of reusable bags and at-store recycling of single-use bags, leverages partnerships with stores, media, environmental organizations, and industry to expand the reach and increase the effectiveness of the Program. The campaign, which will run from November 15, 2009 (America Recycles Day) through December 17, 2009 (A Day Without A Bag), encourages residents to bring in five single-use plastic bags for recycling in exchange for a free Brag About Your Bag[®] reusable bag. A kick-off press conference for the campaign, featuring spokesperson Luke Walton of the Los Angeles Lakers, was held on November 10, 2009 at the Kenneth Hahn Hall of Administration.

Corporate store partners in the Campaign include Albertsons, HOWS, Ralphs, Food4Less, Top Valu, and Valu Plus Supermarkets, which will host Countywide reusable bag giveaway events where over 50,000 reusable bags will be distributed. A total of 53 cities have signed on as partners for the "Brag About Your Bag[®]" Campaign (Attachment IV).

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report (EIR) prior to adopting their ordinance to ban plastic bags. This is similar to an August 2008 ruling requiring the City of Oakland to complete an EIR prior to adopting a similar ordinance.

County Counsel is drafting an ordinance to ban plastic bags to be considered by your Board. Accordingly, we are working with County Counsel, DPW, and a consultant to prepare a Countywide EIR, which will be submitted for consideration with the draft ordinance in July 2010. Public scoping meetings for the Screen Check Initial Study are scheduled to be held from December 3, 2009 through December 11, 2009 at locations in each Supervisorial District.

Category 2 and 3 Stores in the Unincorporated County Areas

Upon fully implementing the Program objectives in Category 1 supermarkets and large drugstores within the unincorporated County areas, the effectiveness of the Program will be evaluated by the Working Group. The evaluation will assist in determining the viability of expanding the voluntary Program to include Category 2 stores (convenience and franchise stores with a total area of greater than or equal to 10,000 square feet), and Category 3 small stores (those not defined as Category 1 or 2) that use single use carryout bags for purchases in the unincorporated County.

At the September 2009 Working Group meeting, strategies were discussed for outreach to Category 2 and 3 stores, such as tailoring the participation checklist, utilizing focus groups for developing incentives, and structuring public education/awareness in a manner that considers the needs and resources of the smaller stores.

Expanded Polystyrene Food Containers

On October 15, 2009, my Office provided a status update on recent activities in anticipation that implementation efforts would be delayed. Though we have yet to determine a firm schedule for implementation of an EPS restriction, related activities are highlighted in the following sections.

Feasibility of Phasing Out EPS Food Containers at County Facilities

In August 2009, the Responsible Purchasing Network (RPN), a contractor retained to conduct an in-depth evaluation of the County's use of EPS food containers, completed their final report. This report included analysis of EPS food containers currently used, identification of department-specific alternative products and vendors, and life-cycle assessments determining the environmental compatibility of alternatives in comparison to EPS products. As a result of their analysis, RPN also provided recommendations to the County on food container purchases, usage, and end-of-life management. Based on the findings from the RPN study, the Internal Services Department (ISD) incorporated an "Expanded Polystyrene (Styrofoam) Food and Beverage Containers" and "End-of-Life and Lifecycle Impacts" sections into the Countywide Purchasing Policy, (Attachment V).

In September 2009, the Working Group met to discuss RPN's findings and recommendations, as well as prospective recommendations to your Board. Staff from DPW is currently compiling and reviewing comments from County departments, industry representatives, environmental organizations, and other stakeholders. We anticipate submitting a formal recommendation to your Board regarding an EPS restriction once the issues presented have been adequately vetted.

Feasibility of Phasing Out EPS Food Containers at Food Service Establishments and Retail Stores in the Unincorporated County Areas

In collaboration with the Working Group, the effectiveness of alternatives to EPS food containers used by private food establishments and retail stores operating in unincorporated areas will be evaluated after implementing alternatives at County facilities. Specifically, the findings from life-cycle assessments of baseline and alternative products need to be considered in determining the feasibility of expanding the EPS restriction to unincorporated County retail stores and food service establishments.

EPS Recycling

Concurrent with efforts to develop alternatives to EPS food container products, we have investigated the viability of recycling EPS food containers generated from County facilities. We have determined that certain County operations provide an opportunity to fully and separately collect EPS materials for recycling by outside vendors, who typically produce a resin or pellet that can then be used as source material for manufacturing other products or product packaging.

Specifically, the Sheriff's Department, ISD, County Counsel, DPW, and CEO developed the scope of work for a one-year contract to recycle EPS material from the Sheriff's facilities. Services would include routine collection of post-consumer EPS food trays and product packaging for recycling. The contract would also provide the County with the option, upon mutual agreement by the selected vendor, to extend the agreement for up to two additional one-year periods and/or expand the effort to other County facilities.

Bids were first solicited for this service in August 2009, but no responsive bids were received. After receiving input from prospective bidders and conducting a bidders' conference, specification requirements were adjusted to provide additional flexibility while maintaining operational effectiveness. A re-solicitation was released on September 28, 2009, and one bid was received in late October. The Sheriff's Department and ISD are currently evaluating the submitted bid to determine responsiveness and the results will be separately reported to your Board.

Each Supervisor
November 25, 2009
Page 6

Summary

Attachment VI provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by February 1, 2010. If you have any questions regarding this status report, please contact me, or your staff may contact Burt Kumagawa at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacounty.gov.

WTF:LS
DSP:BK:ib

Attachments (6)

- c: All Department Heads
 - Sanitation Districts of Los Angeles County
 - Sapphos Environmental, Inc. (M. Campbell)

ATTACHMENT I

**Single Use Bag Reduction and Recycling Program
Public Outreach Events and Activities**

Events

- “Get Hip, Go Green” event at Whittier Narrows Park on August 1, 2009: Distributed approximately 100 reusable bags.
- Los Angeles County Fair in Pomona, five days during September 9-23, 2009: Distributed approximately 800 reusable bags.
- “Get Hip, Go Green” event in the unincorporated Monrovia area on October 24, 2009: Distributed approximately 150 reusable bags.
- “Discover Marina del Rey” event sponsored by the Department of Beaches and Harbors at Burton Chace Park on October 11, 2009: Distributed approximately 150 reusable bags.
- City of Monterey Park’s Green Festival on October 17, 2009: Distributed approximately 200 reusable bags.

Activities

In addition to the events above, six of our partner cities will be providing various in-kind support to our Brag About Your Bag® Campaign:

- Azusa - Distribute Campaign materials; post web banner ads; place ads in City newsletters/literature; display “Brag About Your Bag®” Campaign posters at prominent locations; and donate reusable bags for Campaign events.
- Bell - Distribute Campaign materials; attend kick-off press conference; and proclaim November 15 to December 17, 2009 as Brag About Your Bag® Campaign.
- Glendale - Host and staff events within the City; distribute Campaign materials; place ads in City newsletters/literature; display “Brag About Your Bag®” Campaign posters at prominent locations; and feature Campaign messages via public access channel.
- Lomita - Distribute Campaign materials; post flyer on City website; place ads in City newsletter; and display “Brag About Your Bag®” Campaign posters at City facilities.
- Pico Rivera - Host and staff event within the City; distribute Campaign materials; post web banner ads on city website; place ads in City newsletters; display “Brag About Your Bag®” Campaign posters at prominent locations; feature Campaign messages via public access channel; and attend the Campaign kick-off press conference.
- Santa Fe Springs - Host and staff events within the City; distribute Campaign materials; post web banner ads on City website; place ads in city newsletters; display “Brag About Your Bag®” Campaign posters at prominent locations; provide storage for events; and proclaim November 15 to December 17, 2009 as Brag About Your Bag® Campaign.

ATTACHMENT II

Single Use Bag Reduction and Recycling Program - Store Participation Levels

The table below identifies the various categories of store-specific programs that are considered minimum (e.g. Bronze) or exceptional (e.g. Gold) levels of participation. Stores implementing additional programs will be recognized on the Program website, and all stores meeting the Gold level will be provided recognition by the Los Angeles County Board of Supervisors, with a plaque or certificate to display within their stores.

MENU OF OPTIONS	LEVEL OF PARTICIPATION*		
	Gold Store	Silver Store	Bronze Store
<i>Retraining of Supermarket Staff</i>			
Develop a staff training plan that: a) Highlights the impacts of plastic bag litter b) Supports Program goals	3 or more	2	2
Promote the purchase/use of reusable bags and encourage smart bagging techniques	3 or more	2	1
Encourage customers to recycle bags at store	3 or more	2	1
<i>Incentives for Residents to: (a) use reusable bags, (b) bring plastic bags back to the store for recycling, etc.</i>			
Establish customer rewards program	2 or more	1	1
Establish financial incentives	2 or more	2	1
<i>Public Education / Awareness</i>			
Promote reusable bag usage and plastic bag recycling within the store	3 or more	2	1
Promote reusable bag usage and plastic bag recycling within the community	3 or more	2	1

* The numbers within each category (Gold, Silver, and Bronze) reflect the minimum number of activities that a store must implement to be recognized at a particular level.

ATTACHMENT III

CATEGORY 1 STORES IN THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY

First District

Store Name	Address	Unincorporated Area	Visit Date
99 Ranch Market	1015 Nogales St. Rowland Heights	Rowland Heights	02/11/09
Best Way Markets	19050 La Puente Rd. West Covina	Valinda	02/11/09
CVS #4065	858 Sunset Ave. La Puente	Valinda	01/07/09
CVS (#8898)	7300 Alameda St. Walnut Park	Walnut Park	04/13/09
El Super	3405 E Cesar E. Chavez Ave. Los Angeles	East Los Angeles	04/29/09
Greenland Market	18901 Colima Rd. Rowland Heights	Rowland Heights	03/12/09
Ralphs	520 Workman Mill Rd. La Puente	Valinda	12/09/08
Rite Aid #5991	18993 E. Colima Rd. Rowland Heights	Rowland Heights	03/12/09
SF Supermarket	18475 Colima Rd. Rowland Heights	Rowland Heights	02/11/09
Superior Grocers	3600 Cesar E. Chavez Ave. Los Angeles	East Los Angeles	06/10/09
T.S. Emporium	1457 S Nogales St. Rowland Heights	Rowland Heights	7/21/09
Top Valu Market #14	4831 Whittier Blvd. Los Angeles	East Los Angeles	03/06/09
Walgreens #9468	13331 Telegraph Rd. Whittier	Unincorporated Whittier	08/17/09
Total No. of Stores in SD1 = 13			

Second District

Store Name	Address	Unincorporated Area	Visit Date
Big Saver Foods	5829 Compton Ave. Los Angeles	Florence-Firestone	03/31/09
Bodega R-Ranch Market #4	8601 Hooper Ave. Los Angeles	Florence-Firestone	04/07/09
Cost Saver Market	22905 S. Vermont Ave. Torrance	Harbor-Gateway	03/02/09
Cost Saver Market	1141 W. Carson St. Torrance	Harbor-Gateway	03/10/09
CVS #9531	4501 W. Slauson Ave. Los Angeles	Windsor Hills (Ladera Heights)	06/11/09
CVS #9477	5399 W. Centinela Ave. Los Angeles	Ladera Heights	6/15/09
CVS (#9507)	650 E. El Segundo Blvd. Los Angeles	Willowbrook	04/14/09
Dominguez Food Warehouse	15107 S. Atlantic Ave. E Rancho Dominguez	East Rancho Dominguez	04/10/09
El Super	1301 E. Gage Los Angeles	Florence-Firestone	04/13/09
Food 4 Less	11407 S. Western Ave. Los Angeles	Athens-Westmont	04/07/09
Food 4 Less	11840 Wilmington Ave. Los Angeles	Willowbrook	04/10/09
Food 4 Less	851 Sepulveda Blvd. Torrance	Harbor-Gateway	03/02/09
*Payless Foods #10	620 E. El Segundo Blvd. Los Angeles	Willowbrook	04/07/09
Ralphs	5245 W. Centinela Ave. Los Angeles	Ladera Heights	04/14/09
Rite Aid #5492	1237 W. Carson St. Torrance	Harbor-Gateway	03/02/09
Rite Aid # 5455	11750 Wilmington Ave. Los Angeles	Willowbrook	04/13/09
Rite Aid #5423	1534 E. Florence Ave. Los Angeles	Florence-Firestone	04/13/09
Smart & Final #348	21600 S Vermont Ave. Torrance	Harbor-Gateway	7/21/09
Superior Grocers	7316 Compton Ave. Los Angeles	Florence-Firestone	03/31/09
Top Valu Market #03	10819 Hawthorne Blvd. Lennox	Lennox	06/15/09
Total No. of Stores in SD2 = 20			

Fourth District

Store Name	Address	Unincorporated Area	Visit Date
99 Ranch Market	1645 S. Azusa Av. Hacienda Heights	Hacienda Heights	03/03/09
Albertsons #6537	19725 Colima Rd Rowland Heights	Rowland Heights	03/12/09
*Albertsons #6580	17120 Colima Rd Hacienda Heights	Hacienda Heights	01/14/09
CVS #9730	2141 S. Hacienda Blvd. Hacienda Heights	Hacienda Heights	06/15/09
CVS #9696	10048 Mills Ave. Whittier	Unincorporated Whittier	08/17/09
Ralphs	4700 Admiralty Way Marina Del Rey	Marina del Rey	03/10/09
Rite Aid #5592	2060 S. Hacienda Blvd. Hacienda Heights	Hacienda Heights	01/14/09
Stater Brothers #15	14212 Mulberry Dr. Whittier	Unincorporated Whittier	12/09/08
Stater Brothers #67	19756 Colima Rd. Rowland Heights	Rowland Heights	03/12/09
Top Valu Market #18	970 W 1st St. San Pedro	La Rambla	03/10/09
Valu + #39	15055 Mulberry Dr. Whittier	Unincorporated Whittier	12/9/08
Vons #3086	2122 S. Hacienda Blvd. Hacienda Heights	Hacienda Heights	02/23/09
Total No. of Stores in SD4 = 12			

Fifth District

Store Name	Address	Unincorporated Area	Visit Date
Acton Market	3638 Smith Ave. Acton	Acton	03/05/09
Albertsons	23850 W. Copper Rd. Valencia	Tesoro	07/28/09
Albertsons #6922	26850 the Old Rd. Valencia	West Ranch	03/16/09
Basha Market	20802 E Arrow Hwy. Covina	Charter Oak	02/11/09
CVS #9688	451 S Sierra Madre Blvd. Pasadena	East Pasadena (San Pasqual)	06/16/09
Howie's Ranch Market	6580 San Gabriel Blvd. San Gabriel	East San Gabriel	12/08/08
Hows Market	3035 Huntington Dr. Pasadena	East Pasadena	12/08/09
Ralphs	2675 Foothill Blvd. La Crescenta	La Crescenta	04/10/09
Ralphs	24975 Pico Canyon Rd. Stevenson Ranch	Stevenson Ranch	03/16/09
Ralphs	31970 Castaic Rd. Castaic	Castaic	02/10/09
Ralphs	29675 the Old Rd. Castaic	Castaic	07/23/09
*Ralphs #630	2270 N. Lake Ave. Altadena	Altadena	03/24/09
Rite Aid #5526	735 E Altadena Dr. Altadena	Altadena	06/10/09
Rite Aid #5538	2647 W Foothill Blvd. La Crescenta	La Crescenta	06/16/09
Rite Aid #5562	31910 Castaic Rd. Castaic	Castaic	02/10/09
Super King Markets #3	2260 Lincoln Ave. Altadena	Altadena	05/13/09
Trader Joe's	7260 N. Rosemead Blvd. San Gabriel	East San Gabriel	12/08/09
Vons #2030	25850 the Old Rd Valencia	West Ranch	01/12/09
Walgreens #7529	27983 Sloan Canyon Rd. Castaic	Castaic	02/18/09
Walgreens #7556	28460 Haskell Canyon Rd. Saugus	Bouquet Canyon	08/17/09
Walgreens #6125	6325 Rosemead Blvd. San Gabriel	East San Gabriel	07/08/09
Wal-Mart Store #2297	25450 The Old Road Stevenson Ranch	Stevenson Ranch	08/17/09
Total No. of Stores in SD5 = 22			
Total No. of Stores in U.A. = 67			

Note: The Third Supervisorial District does not have any Category 1 stores in the unincorporated area.

* Represents the three Bronze Stores

ATTACHMENT IV

**Single Use Bag Reduction and Recycling Program
Brag About Your Bag® Campaign - Participating Cities**

Alhambra	Inglewood	Pico Rivera
Arcadia	Irwindale	Pomona
Azusa	La Habra Heights	Rancho Palos Verdes
Bell	La Puente	Rolling Hills
Beverly Hills	La Verne	Rolling Hills Estates
Bradbury	Lakewood	Rosemead
Calabasas	Lancaster	San Dimas
Claremont	Lomita	San Fernando
Covina	Long Beach	San Gabriel
Culver City	Los Angeles	Santa Clarita
Duarte	Malibu	Santa Fe Springs
El Monte	Manhattan Beach	Signal Hill
El Segundo	Monrovia	Temple City
Gardena	Montebello	Torrance
Glendale	Monterey Park	Vernon
Hawaiian Gardens	Norwalk	West Covina
Hawthorne	Palmdale	West Hollywood
Huntington Park	Paramount	

ATTACHMENT V

Title:

**PURCHASE OF ENVIRONMENTALLY PREFERABLE
PRODUCTS (GREEN PURCHASING)**

Effective Date: **06-14-07**

Supersedes No.: **Revised 10-7-09**

Contents: **P-1050**

Submitted By: **Purchasing Division**

Approved By: **Purchasing Agent**

Page No. **1** of **8**

Purpose

Los Angeles County is a very large consumer of goods and services and the purchasing decisions of our employees and contractors can positively or negatively affect the environment. By including environmental considerations in our procurement decisions, along with our traditional concerns with price, performance and availability, we will remain fiscally responsible while promoting practices that improve public health and safety, reduce pollution, and conserve natural resources. The purpose of this document is to establish the framework for establishing an environmentally based purchasing program for Los Angeles County.

Board Policy

On January 16, 2007, the Board of Supervisors adopted a Countywide Policy instructing that all County departments to implement the County's Energy and Environmental Programs for energy conservation and environmental stewardship (See Board of Supervisors Policy No. 3.045, Energy and Environmental Policy). To implement the County's "green" initiatives, County departments will be tasked to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness;
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and to
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, and use wood from sustainable harvested forests.

To meet the Board's policy objectives, we must develop and implement procedures for the procurement of environmentally preferable (or "green") and energy efficient products and services.

Purchasing objectives will include acquisitions that:

- Conserve natural resources;
- Minimize environmental impacts such as pollution and use of water and energy;
- Eliminate or reduce toxics that create hazards to workers and our community;
- Support strong recycling markets;
- Reduce materials that are put into landfills;
- Increase the use and availability of environmentally preferable products that protect the environment;
- Encourage manufacturers and vendors to reduce environmental impacts in their production and distribution systems; and
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

Title:

PURCHASE OF ENVIRONMENTALLY PREFERABLE PRODUCTS (GREEN PURCHASING)Effective Date: **06-14-07**

Supersedes No.: Revised 10-7-09

Contents: **P-1050**Submitted By: **Purchasing Division**Approved By: **Purchasing Agent**Page No. **2** of **8**

In coordination with the County's Environment and Energy Team, ISD's Purchasing Division will have overall responsibility for this program. This will include establishing appropriate standards for green purchasing, assessing cost effectiveness and making recommendations related to acquisition strategies and maintaining data and issuing reports related to the County's progress in environmental purchasing. These areas are further detailed in the attached procedures.

PURCHASING PROCEDURES AND STANDARDS

Defining Environmentally Preferable Products

All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines, such as those for printing paper, office paper, janitorial supplies, construction, landscaping, miscellaneous, and non-paper office products, shall contain the highest post-consumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.

In general, environmentally preferable products and services are those that would have a reduced effect on human health and the environment when compared with competing products and services. More specifically, this comparison would include consideration of all phases of the product's life cycle, including raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance and disposal, including potential for reuse or ability to be recycled.

In practice, the objective is to purchase products that have reduced environmental impact because of the way they are made, used, transported, stored, packaged and disposed of. It means looking for products that do not harm human health, are less polluting and that minimize waste, maximize use of bio-based or recycled materials, conserve energy and water, and reduce the consumption or disposal of hazardous materials. When determining whether a product is environmentally preferable, the following standards should be considered:

✓ Biobased	✓ Made from renewable materials
✓ Biodegradable	✓ Compostable
✓ Carcinogen-free	✓ Low toxicity
✓ Bioaccumulative toxic (PBT)-free	✓ Recycled content, Reusable
✓ Chlorofluorocarbon (CFC)-free	✓ Reduced packaging, Refurbished
✓ Heavy metal free (i.e., no lead, mercury, cadmium)	✓ Reduced greenhouse gas emission
✓ Low volatile organic compound (VOC) content	✓ Energy, Resource and Water efficient

Title:		Contents:	P-1050
PURCHASE OF ENVIRONMENTALLY PREFERABLE PRODUCTS (GREEN PURCHASING)		Submitted By:	Purchasing Division
		Approved By:	Purchasing Agent
Effective Date:	06-14-07	Supersedes No.:	Revised 10-7-09
		Page No.	3 of 8

Purchasing Environmentally Preferable Products

County Purchasing Agent Responsibilities – General

In coordination with the County's Environment and Energy Team, ISD's Purchasing Division will be responsible for:

- Working with other governmental purchasing groups and agencies, such as U.S. Communities, NACO and CSAC to determine appropriate standards for green purchasing.
- Assigning central purchasing staff to evaluate various green products and to provide guidance and assistance to County departments.
- Developing and implementing a 5-year plan to phase in various categories of purchased goods under the green program umbrella. Relative easy to implement items (e.g., paper, cleaning supplies, etc.) will be implemented very early in the program.
- Heading up teams to evaluate various types of products where the cost differential is great and/or the products are not considered good substitutes.
- Assessing and making recommendations on the use of price preferences.
- Maintaining data and issuing reports related to the County's progress in environmental purchasing.
- Establishing central purchasing agreements with a catalogue of environmentally friendly and energy efficient products and to modify our existing agreement data bases for the easy identification of green products.

In establishing countywide commodity agreements, the County's Purchasing Agent will specify the requirement for environmentally preferable products where applicable, and will evaluate product alternatives where appropriate. This evaluation would include: consideration of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime of a product(s) as compared to other alternatives.

In the evaluation and/or award process:

- ✓ Products that are durable, long lasting, reusable or refillable will be preferred whenever feasible.
- ✓ Wherever possible, suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers, shall be requested to take back equipment for reuse or environmentally safe recycling when the County discards or replaces such equipment; and
- ✓ All suppliers shall be required, where applicable, to use and recycle packaging material used for product delivery.

Title:

**PURCHASE OF ENVIRONMENTALLY PREFERABLE
PRODUCTS (GREEN PURCHASING)**

Contents: **P-1050**

Submitted By: **Purchasing Division**

Approved By: **Purchasing Agent**

Effective Date: **06-14-07**

Supersedes No.: **Revised 10-7-09**

Page No. **4** of **8**

County Department Responsibility – General

Under the delegated authority of the County Purchasing Agent, departmental buyers are responsible to evaluate short-term and long-term costs in comparing product alternatives. Through Purchasing Agent agreements, Departments shall be required to:

1. Purchase only Recycled-Content Bond Paper in accordance with the Board of Supervisors instructions of September 7, 1999 instructions to all Departments.
2. Purchase Energy Efficient products in order to conserve electrical power, reduce peak power consumption, lower energy costs, provide market leadership and support energy-efficient purchasing by County government.
3. Review and use "green" product alternatives in County and other authorize government agreements provided on-line at: <http://www.gogreencommunities.org/>

Remanufactured Products

The County shall purchase remanufactured products such as laser toner cartridges, furniture, and equipment whenever practicable, but without reducing safety, quality or effectiveness.

Energy and Water Conserving Equipment

Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.

When practicable, the County shall replace inefficient lighting with energy efficient equipment.

Energy Star®

Energy Star is a labeling program derived from a partnership between the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Energy (DOE). All products displaying the Energy Star label meet Federal Energy Management Program (FEMP) standards. Typically, this means that labeled products are in the top 25 percent of all similar products when ranked by energy efficiency, and use 25 to 50 percent less energy than their traditional counterparts.

Solicitation for Equipment or Products

Wherever practicable, when equipment or product purchases where FEMP recommended standards or Energy Star labeled products are available, County departments and agencies are expected to include an Energy-efficiency requirement component to their solicitation to purchase those products that meet the recommended standards. Examples of these products include computers, monitors, printers, photocopiers and facsimile machines.

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Sample Solicitation Language

"Notice to Bidder: In line with the County policy for the procurement of energy-efficient equipment and products, preference will be given to those products that meet the Federal Energy Management Program (FEMP) standards or possess an Energy Star® label."

For energy consuming products where there are no FEMP recommended criteria or Energy Star label, departments must consider the purchase products that conserve electrical power and/or natural gas to the maximum extent possible, based on minimum life-cycle costs.

Cost Analysis

Even where energy-efficient products have a higher purchase price than their less efficient counterparts, these products usually save money because they use less energy, often have a longer life, and typically incur less maintenance cost.

These savings, such as from lower energy bills, are achieved throughout the entire lifetime of the product. Thus, when deciding how much money an Energy Star labeled product will save, it is necessary to consider both initial cost (the purchase price) and the costs that will be incurred throughout the life of the product (such as energy and maintenance costs). This is known as Life Cycle Cost.

A listing of Energy Star approved products, as well as the formula for determining Life Cycle Cost is available through the ISD Purchasing web page or by access through the following Internet address:

<http://www.business.gov/expand/green-business/energy-efficiency/calculate-savings/energy-saving-calculator.html>

Benefits

The benefits of purchasing Energy Star labeled and FEMP recommended products include:

- Reduced energy costs without compromising quality or performance
- Significant return on investment
- Extended product life and decreased maintenance

Products purchased by the County, and for which the U. S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable. When Energy Star labels are not available, energy efficient products shall be purchased that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.

The County shall purchase water-saving products whenever practicable.

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Note: Nothing contained in this policy shall be construed as requiring a department to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Landscaping

Workers and contractors providing landscaping services for the County shall be encouraged to employ sustainable landscape management practices whenever possible, including, but not limited to, integrated pest management, grass-cycling, drip irrigation, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food waste programs.

Plants should be selected to minimize waste by choosing species that are appropriate to the micro-climate species that can grow to their natural size in the space allotted them and perennials rather than annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.

Hardscapes and landscape structures constructed of recycled content materials are encouraged.

Toxins and Pollutants

To the extent practicable, no cleaning or disinfecting products (i.e. for janitorial use) shall contain ingredients that are carcinogens, mutagens, or teratogens. These include chemicals listed by the U.S. EPA or the National Institute for Occupational Safety and Health on the Toxics Release Inventory and those listed under Proposition 65 by the California Office of Environmental Health Hazard Assessment.

When maintaining buildings, the County shall use the lowest amount of VOCs (volatile organic compounds), highest recycled content, and low or no formaldehyde when purchasing materials such as paint, carpeting, adhesives, furniture and casework.

The County shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Purchasing paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible.
- Eliminating the purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, office binders, furniture and flooring, whenever practicable.

Agricultural Bio-Based Products

Paper, paper products and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

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Expanded Polystyrene (Styrofoam) Food and Beverage Containers

The properties of Expanded Polystyrene (EPS) make it an inexpensive and effective material for product packaging and food/beverage containers. As a result, 56,000 tons of EPS products (primarily product packaging and food containers), equivalent in volume to over eight Empire State Buildings, enter the marketplace in California annually, with the overwhelming majority either disposed or littered. Once littered, EPS food and beverage containers are easily blown into the County's storm drain system. Their lightweight characteristic enables them to be readily carried downstream into waterways, negatively impacting the environment and wildlife. They also end up entangled in brush, tossed along freeways, and washed up on County beaches. Because EPS crumbles and is often difficult to collect, it is a greater eyesore and nuisance than other littered materials. This littering also impacts recreational areas and the quality of life for residents in Los Angeles County.

Based on the negative impact on the environment, and the significant costs to government associated with prevention, clean-up and enforcement, it is imperative that all County departments implement measures to restrict and/or prohibit the purchase and use of expanded polystyrene (EPS) food containers at all County-owned facilities, County offices, County-managed concessions, and County-permitted and sponsored events.

To this end, County departments are expected to consider and use non-EPS products in their purchasing activities, with emphasis on the following hierarchy for procurement of alternative products:

- Reusable and durable goods
- Biodegradable single-use products, including paper-based single-use products with no petroleum coating
- Recyclable single-use products
- Other non-EPS products

Balancing Environmentally Considerations with Performance, Availability and Financial Cost

Los Angeles County is committed to procuring environmentally preferable goods and services wherever they meet performance standards and requirements of the County at a competitive cost. Nothing in this policy shall be construed as requiring a purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price or in a reasonable period of time.

However, when comparing product costs, the County does not focus exclusively on the quoted vendor pricing but also the costs over the life of the product, which includes the initial cost along with maintenance, operating, insurance, disposal, recycle or replacement, and potential liability costs. Examining life cycle costs will save money by ensuring we are quantifying the total cost of ownership before making purchasing decisions.

End-of-Life and Lifecycle Impacts

Numerous studies have confirmed that the end-of-life management of foodservice containers affects their overall lifecycle impact on the environment. Therefore, it is important to take into consideration the ultimate end-of-life management of a product prior to purchase.

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Specifically, alternative products may be reusable, compostable, or recyclable. If none of those three apply, the products will most likely end up disposed. When making purchases, the County will confirm whether infrastructure is in place or could be readily implemented to provide the capability to reuse, compost or recycle the products once purchased. For example, reusable food service ware requires dish washing capability and may require additional storage space, while compostable food service ware may require separate collection containers and a contract for the collection and processing of the materials. The County will, to the maximum extent feasible, utilize the appropriate end-of-life management for the products being purchased in order to minimize the lifecycle environmental impacts of products.

Conservation and Waste Reduction

Wherever practicable and cost-effective, departments are responsible to institute practices that reduce waste and result in the purchase of fewer products without reducing safety or workplace quality.

Examples would include:

- ✓ Using electronic communication instead of printed,
- ✓ Using double-sided photocopying and printing,
- ✓ Using washable and reusable dishes and utensils,
- ✓ Using rechargeable batteries,
- ✓ Streamlining and computerizing forms,
- ✓ Using "on-demand" printing of documents and reports as they are needed,
- ✓ Leasing long-life products when service agreements support maintenance and repair rather than new purchases,
- ✓ Choosing durable products rather than disposable,
- ✓ Buying in bulk, when storage and operations exist to support it,
- ✓ Re-using products such as, but not limited to, file folders, storage boxes, office supplies, and furnishings.

Departmental Responsibilities

Every County department is responsible to ensure that their respective employees, contractors, and vendors are fully aware and supportive of the County's initiative to purchase environmentally preferable goods and services. To this end, departments are responsible to exercise due diligence in their procurement decisions as well procurements made by their contractors and consultants, promoting the purchase and use environmentally preferable products whenever cost effective, and to the extent practicable for all work completed on behalf of Los Angeles County.

ATTACHMENT VI

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Store Related Efforts</p> <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing is updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display prominent anti-litter messages or other environmental outreach. Participation levels have been established as criteria for recognizing and awarding stores. (see Attachment II) Environmental messages are currently displayed on the Program website, Brag About Your Bag® reusable bags, brochures, and other outreach materials distributed at community events and shared with partner cities. In addition, we will enhance our efforts to have stores voluntarily add messages to each single use plastic carryout bag.
<p>Additional Program Components</p> <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> The Working Group is partnering with stores, non-profit organizations, cities, and the media to develop a public education Brag About Your Bag® Campaign scheduled from November 15, 2009, America Recycles Day, through A Day Without a Bag on December 17, 2009. Residents will be encouraged to recycle plastic bags in exchange for free reusable bags.

*Bold items are new updates.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued)		
<ul style="list-style-type: none"> Develop a Store Recognition Program. Identify litter hot spots and develop a focused anti-litter campaign. Maximize recycled content and promote recycling markets for all single use bags. Ban plastic carryout bags at County facilities. Continue to encourage cities to join Program. Expand Program to Category 2 / Category 3 stores. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 2010</p> <p>Ongoing</p> <p>July 2009</p>	<ul style="list-style-type: none"> Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet. Staff has identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaign messages, like the month-long countywide Brag About Your Bag® Campaign with grocery stores and Cities. Participation by stores located within litter hot spots was a priority of the Campaign strategy. According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single-use plastic bags; manufacturers have provided samples of plastic bags made of 100% recycled agricultural film. A survey of County departments revealed that use of plastic carryout bags is minimal. We are working through our network of departmental recycling coordinators, ISD Purchasing Division, and the Energy & Environment Policy Team to ensure single use bags are discontinued from use at County operations and events. Staff continues to contact cities to expand the reach of this voluntary Program. Ten cities continue to partner with the County on the Program, and 53 cities are participating in the Brag About Your Bag® Campaign. These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation.

*Bold items are new updates.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) will be prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration in July 2010.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached as of this date. The hearing date for the lawsuit has been pushed back to April 29, 2010.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	No due date specified	<ul style="list-style-type: none"> • Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. In the interim, we will continue our efforts to have stores voluntarily add environmental messages to shopping carts.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	Ongoing	<p>County-sponsored AB 87 (Davis), which has become a two-year bill and will be taken up again in January 2010, includes the following key provisions:</p> <ul style="list-style-type: none"> • A per bag fee • Percentage of fee revenue returned to individual stores • Percentage of fee revenue distributed to local governments on per capita basis • Percentage of fee revenue allocated to state • Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs • Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation. <p>AB 68 (Brownley), which contains similar provisions to AB 87, has also become a two-year bill.</p>
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p>	Not Applicable	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

City Actions and Related Litigation (continued)	No County Due Dates	
<p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> • By July 1, 2008 for City departments • By July 1, 2009 for City-permitted events • By July 1, 2010 for lease and concession agreements 		<ul style="list-style-type: none"> • Implemented • Implemented • To be determined
<p>Since 2008, the following cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Malibu • Santa Monica • Gardena • Manhattan Beach • Palo Alto • San Jose • Fairfax • Oakland 	Not Applicable	<p>Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008.</p> <p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision.</p> <p>The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p> <p>On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. The San Jose ban is scheduled to take effect January 1, 2011.</p> <p>The Cities of Fairfax and Oakland both dropped their plans to ban plastic bags under threat of lawsuits.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS - COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>These actions have all been completed. As indicated in our October 15, 2009 Report, staff is preparing a recommendation to your Board to phase out EPS food containers at all County operations. We are considering stakeholder comments and working with ISD, the Energy & Environment Policy Team, and departments to prepare for this potential action.</p> <p>By July 2012, all County operations would be able to transition to alternative food container products. About three-fourths of County operations will be able to comply with the new policy immediately following Board approval.</p>

*Bold items are new updates.

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued) <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. • Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. • Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> - Task 1: Establish consumption baseline - Task 2: Analyze products by function - Task 3: Develop alternative products listing, pricing - Task 4: Life-cycle assessment of baseline products and proposed alternative products - Task 5: Final Report 	<p>October 2008</p> <p>November 2008; Ongoing</p> <p>March 2009</p> <p>July 2009</p>	<ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy. • Findings from the consultant's study were discussed with the Working Group in September and October 2009. Stakeholders' comments are being reviewed. A recommendation to your Board will be made upon sufficiently vetting the issues presented by stakeholders. • On July 29 2009, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. Public Works also distributed a fact sheet and contact information to Department representatives whose department currently use EPS products. • Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. • RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. • RPN recommends that the County and its contractors: <ul style="list-style-type: none"> - Cease purchase and use of EPS food containers at all County operations. - Use reusable food containers if feasible. - Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. - Use food containers made from paper if reusables are not feasible and disposables will be recycled. - Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible.

*Bold items are new updates.

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Specific Program Components (EPS) (continued)</p> <ul style="list-style-type: none"> The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. 	<p>Every six months for three years</p> <p>No date specified</p> <p>No date specified</p>	<ul style="list-style-type: none"> The EET has been briefed and is prepared to develop the progress reports subject to Board action. Materials to increase public awareness regarding EPS food container litter and alternative products are being developed. Staff developed a scope of work for EPS food container recycling program. No responsive bids were received from an August 2009 solicitation; only one bid was received in response to a September 2009 re-solicitation. The Sheriff's Department and ISD are currently evaluating the submitted bid to determine responsiveness.
<p>Phasing Out EPS Food Containers in Unincorporated County Areas</p> <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 	<p>No date specified</p>	<p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products. 	No date specified	<p>As introduced, AB 1358 would have prohibited a food vendor, restaurant, or retail food vendor from dispensing prepared food in a disposable EPS food container. The bill was gutted and amended on 10/26/09 and now deals with a driving under the influence and ignition interlock device pilot program. The CEO and DPW will continue to monitor legislation related to EPS.</p>



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

February 3, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

From: William T Fujioka
Chief Executive Officer

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 8

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program in partnership with the Directors of Public Works, Internal Services, Public Health, the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Activities

Since the last quarterly report, the Working Group met on January 20, 2010 and continues public outreach efforts as highlighted below:

Store Participation and Recycling Data

As previously reported, the California Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board) provided the County with a list identifying individual store locations for those stores that submitted At-Store Plastic Bag Recycling Reports for the July 1, 2007 through December 31, 2007 reporting period. Staff from the Department of Public Works (DPW) has been analyzing the list to determine what the data

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represents with respect to stores serving the unincorporated County areas. Because store chains sometimes aggregate data, it is difficult to segregate information that pertains exclusively to the County's unincorporated areas. Staff will continue to seek more current reporting data from the State. However, since the State has been unable to provide data for more recent reporting periods, DPW will also be contacting Category 1 stores in the unincorporated County areas to obtain data that will facilitate computation of the plastic bag disposal reduction rate and to determine overall progress toward achieving the goals stipulated under the Program.

Community Outreach

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Los Angeles County residents were encouraged to bring in five plastic bags in exchange for a free reusable bag at the campaign events. Campaign events were held at 49 store locations including: Albertsons, Buy Low, Food 4 Less, How's Market, Jax Market, Northgate Market, Ralphs, Stater Brothers, Valu Plus, Wal-Mart, Whole Foods Market, and Wolfe's Market. Campaign events were also held at the Inglewood Gateway, Bell Holiday Parade & Festival, Huntington Park Tree Lighting ceremony, and Valinda Farmer's Market. Thousands of USC and UCLA branded reusable bags were also distributed at the UCLA vs. USC football game. Additionally, 55 cities in the County participated in the campaign by hosting events, posting ads and flyers throughout their cities, featuring campaign messages on their public access/city cable channels, and donating reusable bags.

Within a four-week timeframe, over 45,000 single use plastic bags were collected, and over 55,000 reusable bags were distributed. In addition, the purchase of reusable bags at grocery stores significantly increased during the campaign, thanks in large part to a "pay it forward" campaign conducted by Albertsons stores on December 17, 2009, which provided free reusable bags to customers and encouraged them to pay a discounted fee to provide a free reusable bag to the next customer in line.

In order to further educational efforts, the single use plastic bags collected through the campaign were tied together by volunteers from the San Gabriel and Los Angeles Conservation Corps, La Causa, and Sierra Club, and used to construct a plastic bag ball, which far exceeded the current Guinness World Record for the largest structure made of single use plastic bags. Plans are being developed to promote the structure at public events, County facilities, and to the media. The effort will heighten public awareness of the prolific use of plastic bags Countywide and provides a visual reminder of the issues associated with single use bag consumption - the 40,404 plastic bags contained in the plastic ball represent the number of single use plastic bags that Los Angeles County residents use every three and a half minutes.

Each Supervisor
February 3, 2010
Page 3

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

County Counsel is drafting the ordinance to ban plastic bags that will be considered by your Board. Accordingly, we are working with County Counsel, DPW, and a consultant to prepare a Countywide EIR which will be submitted for consideration with the draft ordinance in July 2010. Public scoping meetings were held in each Supervisorial District during December 2009, which provided an opportunity for residents and other interested stakeholders to provide feedback regarding the anticipated content of the draft EIR. The draft EIR will be released for public review in the Spring of 2010.

Expanded Polystyrene Food Containers

Feasibility of Phasing Out EPS Food Containers at County Facilities

In August 2009, the Responsible Purchasing Network (RPN) completed an in-depth evaluation of the County's use of EPS food containers. DPW reviewed comments from the Working Group including County departments, industry representatives, environmental organizations, and other stakeholders. A Board letter will be submitted for your consideration in Spring 2010 that recommends a strategy for restricting EPS food container usage by County departments.

Summary

The attached table provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by May 1, 2010. If you have any questions regarding this status report, please contact me or your staff may contact Lari Sheehan at (213) 893-2477, or via email at lsheehan@ceo.lacounty.gov.

WTF:LS
DSP:BK:ib

Attachment

c: All Department Heads
Sanitation Districts of Los Angeles County
Sapphos Environmental, Inc. (M. Campbell)

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing is updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display anti-litter messages or other environmental outreach. Since DPW will be visiting stores to obtain plastic bag use/recycling data, they will also encourage implementation of program elements. Participation levels have been established as criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Brag About Your Bag® reusable bags.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> The Working Group partnered with stores, non-profit organizations, cities, and the media to develop a public education Brag About Your Bag® Campaign from America Recycles Day (11/15/09) through A Day Without a Bag (12/17/09), where residents were encouraged to recycle plastic bags in exchange for free reusable bags. The collected plastic bags were gathered together to form a plastic bag ball structure. Plans are being developed to promote the structure at public events, County facilities, and to the media.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued)		
<ul style="list-style-type: none"> Develop a Store Recognition Program. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet.
<ul style="list-style-type: none"> Identify litter hot spots and develop a focused anti-litter campaign. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> Staff has identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaigns, such as the Countywide Brag About Your Bag® Campaign with grocery stores and cities. Participation by stores located in litter hot spots was a priority of the Campaign.
<ul style="list-style-type: none"> Maximize recycled content and promote recycling markets for all single use bags. 	July 1, 2008; ongoing	<ul style="list-style-type: none"> According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single use plastic bags; manufacturers have provided samples of plastic bags made of 100 percent recycled agricultural film.
<ul style="list-style-type: none"> Ban plastic carryout bags at County facilities. 	July 2010	<ul style="list-style-type: none"> While most County departments indicated that use of plastic carryout bags is minimal, a few have identified challenges. DPW is developing options to minimize budgetary impacts and provide departments with viable alternatives. DPW has identified a preliminary target date of July 2010 to phase out the use of single use plastic bags at County operations.
<ul style="list-style-type: none"> Continue to encourage cities to join Program. 	Ongoing	<ul style="list-style-type: none"> Staff continues to contact cities to expand the reach of this voluntary Program. Eleven cities continue to partner with the County on the Program, including the City of Malibu which adopted a resolution on 11/9/09.
<ul style="list-style-type: none"> Expand Program to Category 2 / Category 3 stores. 	July 2009	<ul style="list-style-type: none"> These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be considered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) is being prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration this summer.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached as of this date. The hearing date for the lawsuit has been pushed back to April 29, 2010.</p> <p>The CA Department of Resources Recycling and Recovery (formerly the CA Integrated Waste Mgmt. Board) has informed DPW that the 2008 At-Store Plastic Bag Recycling Report data is not ready for distribution. This data is needed to determine whether stores have met the benchmarks established by the Board. In the meantime, DPW will be surveying County unincorporated area stores to determine if Program requirements are being achieved.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	<p>No due date specified</p>	<ul style="list-style-type: none"> • Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. Staff is coordinating with stores to voluntarily add the currently mandated message per AB 2449 to each single use plastic carryout bag.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	Ongoing	<p>County-sponsored AB 87 (Davis) includes the following key provisions:</p> <ul style="list-style-type: none"> • A 25 cent per bag fee • Percentage of fee revenue returned to individual stores • Percentage of fee revenue distributed to local governments on per capita basis • Percentage of fee revenue allocated to state • Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs • Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation. <p>AB 68 (Brownley) contains similar provisions to AB 87. On 1/21/10, both bills were held in the Assembly Appropriations Committee, essentially killing both bills for this legislative session.</p>
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out</p>	Not Applicable	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>City Actions and Related Litigation (continued)</p> <p>EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> • By July 1, 2008 for City departments • By July 1, 2009 for City-permitted events • By July 1, 2010 for lease and concession agreements <p>Since 2008, the following additional cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Malibu • Santa Monica • Gardena • Manhattan Beach • Palo Alto • San Jose • Fairfax • Solana Beach 	<p>No County Due Dates</p> <p>Not Applicable</p>	<ul style="list-style-type: none"> • Implemented • Implemented • To be determined <p>Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008.</p> <p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision.</p> <p>The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p> <p>On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. The San Jose ban is scheduled to take effect January 1, 2011.</p> <p>The city of Fairfax dropped their plans to ban plastic bags under threat of lawsuit.</p> <p>In August 2008, the city of Solana Beach began a voluntary recycling program for plastic bags. In December 2007, the city enacted a law prohibiting plastic bags used for advertising that is thrown onto driveways and yards or hung on doorknobs.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>These actions have all been completed. In Spring 2010, a recommendation will be submitted to your Board to phase out EPS food containers at all County operations.</p>
<p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. 	<p>October 2008</p> <p>November 2008</p>	<ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy. • Completed. Findings from the consultant's study were discussed with the Working Group in September and October 2009, and will be submitted to your Board along with the recommendations discussed above.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued)		
<ul style="list-style-type: none"> Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. 	March 2009; Ongoing	<ul style="list-style-type: none"> Completed. On 7/29/09, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. DPW also distributed a fact sheet and contact information to Department representatives.
<ul style="list-style-type: none"> Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> Task 1: Establish consumption baseline Task 2: Analyze products by function Task 3: Develop alternative products listing, pricing Task 4: Life-cycle assessment of baseline products and proposed alternative products Task 5: Final Report 	July 2009	<ul style="list-style-type: none"> Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. RPN recommends that the County and its contractors: <ul style="list-style-type: none"> Cease purchase and use of EPS food containers at all County operations. Use reusable food containers if feasible. Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. Use food containers made from paper if reusables are not feasible and disposables will be recycled. Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible.
<ul style="list-style-type: none"> The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. 	Every six months for three years	<ul style="list-style-type: none"> The EET has been briefed and is prepared to develop the progress reports subject to Board action.
<ul style="list-style-type: none"> Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. 	No date specified	<ul style="list-style-type: none"> Materials to increase public awareness regarding EPS food container litter and alternative products are being developed.
<ul style="list-style-type: none"> DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. 	No date specified	<ul style="list-style-type: none"> Only one bid was received in response to a September 2009 solicitation for a contract to recycle EPS at the Sheriff's facilities. The vendor must show that they can fully accommodate contract specifications.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Phasing Out EPS Food Containers in Unincorporated County Areas <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 	No date specified	Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.
Board adopted State Legislative Position to Reduce EPS Food Container Litter <ul style="list-style-type: none"> Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products. 	No date specified	As introduced, AB 1358 would have prohibited a food vendor, restaurant, or retail food vendor from dispensing prepared food in a disposable EPS food container. The bill was gutted and amended on 10/26/09 and now deals with a driving under the influence and ignition interlock device pilot program. The CEO and DPW will continue to monitor legislation related to EPS.



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

March 12, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", is written over the printed name and title.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

ENVIRONMENTAL IMPACT REPORT FOR AN ORDINANCE TO BAN SINGLE USE PLASTIC BAGS IN THE COUNTY OF LOS ANGELES – STATUS UPDATE

On February 3, 2010, the Chief Executive Officer (CEO) provided a quarterly progress report to your Board on plastic bags (attached). The report anticipated that a draft ordinance banning plastic bags at large supermarkets and retail stores would be submitted to your Board in July 2010, following completion of any necessary environmental review in compliance with the California Environmental Quality Act.

The purpose of this memorandum is to provide an update on recent activities since implementation of these efforts will be delayed.

Project Background

We are working with County Counsel, Public Works, and Sapphos Environmental Inc. (SEI) to prepare a Countywide Environmental Impact Report (EIR), which will be submitted for consideration with the draft ordinance.

Public scoping meetings were held in each Supervisorial District during December 2009 to give residents and other interested stakeholders an opportunity to provide feedback regarding the Initial Study and Notice of Preparation for the draft EIR. After receiving scoping comments, the consultant determined and we concur, that more in-depth research and secondary source data would be appropriate to further substantiate the technical information and findings in the EIR. This would ensure the report is responsive to the comments and feedback received, and provide your Board with the information necessary to make a more informed decision regarding the potential environmental impacts of adopting the draft ordinance.

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Each Supervisor
March 12, 2010
Page 2

Revised Schedule

The SEI contract has been amended to authorize the additional research and provide 60 additional days to incorporate the findings in the EIR. This amendment will result in an adjustment of the overall schedule as follows:

- April 2010 - Draft EIR released for public review.
- May/June 2010 - Community meetings conducted in each Supervisorial District within the 45-day review period, which will provide further opportunity for stakeholders to submit comments.
- September 2010 - Final EIR and draft ordinance presented to your Board.

If you have any questions regarding this memorandum, please contact me, or your staff may contact Lari Sheehan, Deputy Chief Executive Officer at (213) 893-2477, or via e-mail at lsheehan@ceo.lacounty.gov.

WTF:LS
DSP:BK:ib

Attachment

c: All Department Heads
Sanitation Districts of Los Angeles County
Sapphos Environmental, Inc. (M. Campbell)

ATTACHMENT



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WILLIAM T FUJIOKA
Chief Executive Officer

February 3, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
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Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 8

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program in partnership with the Directors of Public Works, Internal Services, Public Health, the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Activities

Since the last quarterly report, the Working Group met on January 20, 2010 and continues public outreach efforts as highlighted below:

Store Participation and Recycling Data

As previously reported, the California Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board) provided the County with a list identifying individual store locations for those stores that submitted At-Store Plastic Bag Recycling Reports for the July 1, 2007 through December 31, 2007 reporting period. Staff from the Department of Public Works (DPW) has been analyzing the list to determine what the data

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represents with respect to stores serving the unincorporated County areas. Because store chains sometimes aggregate data, it is difficult to segregate information that pertains exclusively to the County's unincorporated areas. Staff will continue to seek more current reporting data from the State. However, since the State has been unable to provide data for more recent reporting periods, DPW will also be contacting Category 1 stores in the unincorporated County areas to obtain data that will facilitate computation of the plastic bag disposal reduction rate and to determine overall progress toward achieving the goals stipulated under the Program.

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Los Angeles County residents were encouraged to bring in five plastic bags in exchange for a free reusable bag at the campaign events. Campaign events were held at 49 store locations including: Albertsons, Buy Low, Food 4 Less, How's Market, Jax Market, Northgate Market, Ralphs, Stater Brothers, Valu Plus, Wal-Mart, Whole Foods Market, and Wolfe's Market. Campaign events were also held at the Inglewood Gateway, Bell Holiday Parade & Festival, Huntington Park Tree Lighting ceremony, and Valinda Farmer's Market. Thousands of USC and UCLA branded reusable bags were also distributed at the UCLA vs. USC football game. Additionally, 55 cities in the County participated in the campaign by hosting events, posting ads and flyers throughout their cities, featuring campaign messages on their public access/city cable channels, and donating reusable bags.

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Each Supervisor
February 3, 2010
Page 3

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

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Expanded Polystyrene Food Containers

Feasibility of Phasing Out EPS Food Containers at County Facilities

In August 2009, the Responsible Purchasing Network (RPN) completed an in-depth evaluation of the County's use of EPS food containers. DPW reviewed comments from the Working Group including County departments, industry representatives, environmental organizations, and other stakeholders. A Board letter will be submitted for your consideration in Spring 2010 that recommends a strategy for restricting EPS food container usage by County departments.

Summary

The attached table provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by May 1, 2010. If you have any questions regarding this status report, please contact me or your staff may contact Lari Sheehan at (213) 893-2477, or via email at lsheehan@ceo.lacounty.gov.

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SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing is updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display anti-litter messages or other environmental outreach. Since DPW will be visiting stores to obtain plastic bag use/recycling data, they will also encourage implementation of program elements. Participation levels have been established as criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Bag About Your Bag® reusable bags.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> The Working Group partnered with stores, non-profit organizations, cities, and the media to develop a public education Bag About Your Bag® Campaign from America Recycles Day (11/15/09) through A Day Without a Bag (12/17/09), where residents were encouraged to recycle plastic bags in exchange for free reusable bags. The collected plastic bags were gathered together to form a plastic bag ball structure. Plans are being developed to promote the structure at public events, County facilities, and to the media.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued)		
<ul style="list-style-type: none"> Develop a Store Recognition Program. Identify litter hot spots and develop a focused anti-litter campaign. Maximize recycled content and promote recycling markets for all single use bags. Ban plastic carryout bags at County facilities. Continue to encourage cities to join Program. Expand Program to Category 2 / Category 3 stores. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 2010</p> <p>Ongoing</p> <p>July 2009</p>	<ul style="list-style-type: none"> Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet. Staff has identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaigns, such as the Countywide Brag About Your Bag® Campaign with grocery stores and cities. Participation by stores located in litter hot spots was a priority of the Campaign. According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single use plastic bags; manufacturers have provided samples of plastic bags made of 100 percent recycled agricultural film. While most County departments indicated that use of plastic carryout bags is minimal, a few have identified challenges. DPW is developing options to minimize budgetary impacts and provide departments with viable alternatives. DPW has identified a preliminary target date of July 2010 to phase out the use of single use plastic bags at County operations. Staff continues to contact cities to expand the reach of this voluntary Program. Eleven cities continue to partner with the County on the Program, including the City of Malibu which adopted a resolution on 11/9/09. These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be considered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) is being prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration this summer.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached as of this date. The hearing date for the lawsuit has been pushed back to April 29, 2010.</p> <p>The CA Department of Resources Recycling and Recovery (formerly the CA Integrated Waste Mgmt. Board) has informed DPW that the 2008 At-Store Plastic Bag Recycling Report data is not ready for distribution. This data is needed to determine whether stores have met the benchmarks established by the Board. In the meantime, DPW will be surveying County unincorporated area stores to determine if Program requirements are being achieved.</p>
<p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p>	No due date specified	<ul style="list-style-type: none"> • Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. Staff is coordinating with stores to voluntarily add the currently mandated message per AB 2449 to each single use plastic carryout bag.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> Repeal State law that prevents local government from imposing a fee on plastic carryout bags. Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	Ongoing	<p>County-sponsored AB 87 (Davis) includes the following key provisions:</p> <ul style="list-style-type: none"> A 25 cent per bag fee Percentage of fee revenue returned to individual stores Percentage of fee revenue distributed to local governments on per capita basis Percentage of fee revenue allocated to state Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation. <p>AB 68 (Brownley) contains similar provisions to AB 87. On 1/21/10, both bills were held in the Assembly Appropriations Committee, essentially killing both bills for this legislative session.</p>
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out</p>	Not Applicable	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>City Actions and Related Litigation (continued)</p> <p>EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> • By July 1, 2008 for City departments • By July 1, 2009 for City-permitted events • By July 1, 2010 for lease and concession agreements <p>Since 2008, the following additional cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Malibu • Santa Monica • Gardena • Manhattan Beach • Palo Alto • San Jose • Fairfax • Solana Beach 	<p>No County Due Dates</p> <p>Not Applicable</p>	<ul style="list-style-type: none"> • Implemented • Implemented • To be determined <p>Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008.</p> <p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision.</p> <p>The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p> <p>On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. The San Jose ban is scheduled to take effect January 1, 2011.</p> <p>The city of Fairfax dropped their plans to ban plastic bags under threat of lawsuit.</p> <p>In August 2008, the city of Solana Beach began a voluntary recycling program for plastic bags. In December 2007, the city enacted a law prohibiting plastic bags used for advertising that is thrown onto driveways and yards or hung on doorknobs.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. <p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. 	<p>Indicated below by Program Element</p> <p>October 2008</p> <p>November 2008</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>These actions have all been completed. In Spring 2010, a recommendation will be submitted to your Board to phase out EPS food containers at all County operations.</p> <ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy. • Completed. Findings from the consultant's study were discussed with the Working Group in September and October 2009, and will be submitted to your Board along with the recommendations discussed above.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued)		
<ul style="list-style-type: none"> Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> Task 1: Establish consumption baseline Task 2: Analyze products by function Task 3: Develop alternative products listing, pricing Task 4: Life-cycle assessment of baseline products and proposed alternative products Task 5: Final Report The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. 	<p>March 2009; Ongoing</p> <p>July 2009</p> <p>Every six months for three years</p> <p>No date specified</p> <p>No date specified</p>	<ul style="list-style-type: none"> Completed. On 7/29/09, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. DPW also distributed a fact sheet and contact information to Department representatives. Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. RPN recommends that the County and its contractors: <ul style="list-style-type: none"> Cease purchase and use of EPS food containers at all County operations. Use reusable food containers if feasible. Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. Use food containers made from paper if reusables are not feasible and disposables will be recycled. Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible. The EET has been briefed and is prepared to develop the progress reports subject to Board action. Materials to increase public awareness regarding EPS food container litter and alternative products are being developed. Only one bid was received in response to a September 2009 solicitation for a contract to recycle EPS at the Sheriff's facilities. The vendor must show that they can fully accommodate contract specifications.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers in Unincorporated County Areas</p> <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 	No date specified	<p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.</p>
<p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products. 	No date specified	<p>As introduced, AB 1358 would have prohibited a food vendor, restaurant, or retail food vendor from dispensing prepared food in a disposable EPS food container. The bill was gutted and amended on 10/26/09 and now deals with a driving under the influence and ignition interlock device pilot program. The CEO and DPW will continue to monitor legislation related to EPS.</p>



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

May 5, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in dark ink, appearing to read "W. Fujioka", is written over the printed name and title of the Chief Executive Officer.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - QUARTERLY PROGRESS REPORT NO. 9

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Activities

During this reporting period, the Working Group convened every other month. Representatives from Albertsons Supermarket, reusable bag vendors, plastic and paper bag industry groups, environmental organizations, various governmental entities, and the public participated in the meetings. The Working Group further implemented Program components by disseminating outreach materials, attending community events, working with cities, stores, and bag manufacturers.

"To Enrich Lives Through Effective And Caring Service"

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Store Participation

The 67 Category 1 stores in the unincorporated County areas have been contacted regarding their progress of implementing the Program. Participation checklists from 15 stores have been received so far, with four (4) stores currently meeting the minimum participation levels called for in the Program, showing a 46 percent increase in store personnel training, a 21 percent increase in providing customer incentives to decrease single use bag use, and a 30 percent increase in public education. Data suggests that the four (4) stores are making efforts to increase customer and community awareness about the benefits of reusable bags and plastic bag recycling, however, greater efforts, including participation by additional stores, are needed to further raise awareness throughout the unincorporated County areas.

Community Outreach

Public Works staff performed the Brag About Your Bag® skit in events for Supervisor Gloria Molina's "A Green Bag for a Clean Earth" reusable bag campaign this past March. This phase of the campaign kicked off at Kennedy Elementary, and assemblies were held at elementary schools located in the East Los Angeles/City Terrace unincorporated community.

Public Works staff also attended 15 community events in the past quarter to educate residents on the County's environmental programs, where they disseminated free outreach materials and reusable bags (Attachment I).

Recycling Data

Public Works has made repeated attempts to obtain store-specific data from a number of sources, including the California Department of Resources Recovery and Recycling (CalRecycle), individual stores, and corporate offices. While State law requires stores to maintain location-specific data, most data received from CalRecycle and the stores is in aggregate form due to the corporate reporting procedure of most chains. This has made it very difficult for staff to segregate data for individual stores in the unincorporated County areas.

In March, Public Works staff met with representatives of the California Grocers Association (CGA) to emphasize the need for their cooperation and participation in helping the County obtain relevant data from remaining stores. While their response was initially supportive, including agreement to send out a joint letter to member grocers requesting the necessary data, we have not received a significant increase in data from CGA's member stores.

Based on the foregoing, we have concluded that there is not yet sufficient data to make any conclusions about at-store plastic bag recycling. We will continue to request via telephone contacts and in-person store visits that all Category 1 stores submit their location-specific data. Since the initial benchmark established by the voluntary Program is a 30 percent reduction by July 1, 2010, we intend to include an analysis of stores' performance in the next quarterly report.

Each Supervisor
May 5, 2010
Page 3

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

County Counsel is drafting the ordinance to ban plastic bags that will be brought back for consideration by your Board. Accordingly, we are working with County Counsel, Public Works, and a consultant to prepare a Countywide EIR, which will be submitted for consideration with the draft ordinance in September. Public scoping meetings were held in each supervisorial district during December 2009, which provided an opportunity for residents and other interested stakeholders to provide feedback regarding the anticipated content of the draft EIR. The draft EIR will be released for public review in May.

Expanded Polystyrene Food Containers

Feasibility of Phasing Out EPS Food Containers at County Facilities

In August 2009, the Responsible Purchasing Network (RPN) completed an in-depth evaluation of the County's use of EPS food containers. Public Works reviewed comments from the Working Group including County departments, industry representatives, environmental organizations, and other stakeholders. A Board letter will be submitted for your consideration this summer that recommends a strategy for restricting EPS food container usage by County departments.

Summary

Attachment II provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. The next quarterly report will be submitted to your Board by August 1, 2010. If you have any questions regarding this status report, please contact me, or your staff may contact Dorothea Park at (213) 974-4283, or via e-mail at dpark@ceo.lacounty.gov.

WTF:LS
DSP:BK:os

Attachments (2)

c: All Department Heads
Sanitation Districts of Los Angeles County
Sapphos Environmental, Inc. (M. Campbell)

ATTACHMENT I

ATTACHMENT I

**Single Use Bag Reduction and Recycling Program
Community Events Attended – February through April 2010**

Date	Event	Supervisory District	Reusable Bags Distributed
3/10/10	Environmental Education Fair	5 (Arcadia)	800
4/03/10	Earth Day Celebration	3 (Calabasas)	100
4/10/10	Earth Day Festival	2 (Hawthorne)	400
4/17/10	Sanitation District Earth Day	4 (Whittier)	500
4/17/10	Earth Day South LA	2 (Los Angeles)	500
4/17/10	South LA Earth Fest 2010	2 (Los Angeles)	500
4/21/10	CDC Green Fair	1 (Monterey Park)	500
4/21/10	Sony Pictures Earth Day	2 (Culver City)	300
4/22/10	CSU Northridge Earth Day	3 (Northridge)	500
4/22/10	CSU Dominguez Hills Earth Day	2 (Carson)	500
4/22/10	LA Live Earth Day	1 (Los Angeles)	500
4/24/10	Aquarium of the Pacific	4 (Long Beach)	500
4/24/10	Greening the Earth Day	5 (Pasadena)	500
4/25/10	Aquarium of the Pacific	4 (Long Beach)	500
4/25/10	Children's Earth Day	2 (Culver City)	700
Total			7,300

ATTACHMENT II

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing is updated as information is received from CalRecycle and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and Cal Recycles to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display prominent anti-litter messages or other environmental outreach. DPW staff will encourage implementation of program elements during their store visits. Participation levels have been established as criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Program website, Brag About Your Bag® reusable bags, brochures, and other outreach materials distributed at community events and shared with partner cities.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> The public education Brag About Your Bag® Campaign, which encouraged residents to recycle plastic bags in exchange for free reusable bags, collected plastic bags that were gathered together to form a plastic bag ball structure. Plans are being developed to promote the structure at public events, County facilities, and to the media.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> Develop a Store Recognition Program. Identify litter hot spots and develop a focused anti-litter campaign. Maximize recycled content and promote recycling markets for all single use bags. Ban plastic carryout bags at County facilities. Continue to encourage cities to join Program. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 2010</p> <p>Ongoing</p>	<ul style="list-style-type: none"> Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet. Staff identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaigns, such as the month-long countywide Brag About Your Bag® Campaign. Participation by stores located within litter hot spots was a priority of the Campaign. According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Plastic bag manufacturers have provided samples of plastic bags made of 100% recycled agricultural film. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. County departments' use of plastic carryout bags is limited to four gift shops and the Department of Community and Senior Services' meals program. Three gift shops will transition to alternatives by July 2010, and the fourth will do so by October 2010. DCSS will encourage voluntarily use of alternatives until the current contract expires in Fiscal Year 2010-11, at which time plastic bags will be prohibited. Staff continues to contact cities to expand the reach of this voluntary Program. Twelve cities are now partnering with the County on the Program, including the City of Agoura Hills which adopted a resolution on 3/10/2010.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> Expand Program to Category 2/Category 3 stores. 	July 2009	<ul style="list-style-type: none"> Though not subject to the State's recycling and reporting requirements, staff has distributed information to 64 of these stores to encourage participation. Additional stores in the unincorporated County areas are being confirmed from a list of 1,791 prospective locations compiled through various agencies. Staff will continue outreach efforts to encourage voluntary participation in the Program.
County Ordinance: Enforcement of Benchmarks <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be considered:</p> <ol style="list-style-type: none"> 30 percent reduction by July 1, 2010 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) will be prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration in September 2010.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached. A writ hearing for the lawsuit was held April 29, 2010. Following the hearing, the parties stipulated to dismissal of the CEQA writ action with prejudice, and the Court on May 3, 2010 denied the Coalition's request for declaratory relief seeking an order that the County was preempted by state law from banning plastic bags. The Court found the declaratory relief was not ripe given the County had not adopted an ordinance to ban plastic bags.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
County Ordinance: Enforcement of Benchmarks (continued)		CalRecycle has not yet provided DPW with the 2008 At-Store Plastic Bag Recycling Report data. DPW staff is contacting stores directly to obtain data needed to determine whether stores have met the voluntary benchmarks established by the Board.
County Ordinance: Environmental Awareness Message Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.	No due date specified	<ul style="list-style-type: none"> Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. Staff is coordinating with stores to voluntarily add the currently mandated message per AB 2449 to each single use plastic carryout bag.
Board adopted State Legislative Position to Reduce Plastic Bag Litter <ul style="list-style-type: none"> Repeal State law that prevents local government from imposing a fee on plastic carryout bags. Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. 	Ongoing	<p>Assembly Bill 1998 (Brownley) Amended April 20, 2010, if enacted, would among other things:</p> <ul style="list-style-type: none"> Restrict supermarkets, retail spaces over 10,000 square feet with a pharmacy, or convenience food stores, from providing single-use carryout bags to customers at the point of purchase beginning January 1, 2012. Mandate stores to make available reusable bags for purchase. Require the Department of Resources Recycling and Recovery to submit a report to the Legislature regarding the effectiveness of AB 1998 on or before January 1, 2015. The report shall include recommendations to: <ul style="list-style-type: none"> Further encourage the use of reusable bags by consumers and retailers.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
		<ul style="list-style-type: none"> Further reduce the consumption of single-use carryout bags by expanding the restriction set forth in AB 1998 to all stores and retail establishments. <p>When introduced, AB 1998 (February 17, 2010) proposed to prohibit the distribution of plastic bag and charge a \$0.25 fee for paper bags. This provision has since been amended out.</p>
<p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags and charge a fee on other carryout bags by January 1, 2010, if a statewide fee of at least 25-cents on plastic bags is not implemented by that time, and to phase-out EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> By July 1, 2008 for City departments By July 1, 2009 for City-permitted events By 2010 for lease and concession agreements <p>Since 2008, the following additional California cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> Malibu Santa Monica Gardena Manhattan Beach 	Not Applicable	<p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus nullifying the ordinance. The City has not pursued further action.</p> <ul style="list-style-type: none"> Implemented Implemented To be determined Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

PROGRAM ELEMENT	DUE DATE	STATUS
<p>City Actions and Related Litigation (continued)</p> <ul style="list-style-type: none"> • Palo Alto • San Jose • Fairfax • Solana Beach • County and City of Santa Cruz 		<ul style="list-style-type: none"> • On January 27, 2010, a California appeals court upheld an order requiring Manhattan Beach to consider the environmental impacts of its ban on plastic bags by preparing an EIR prior to implementing a ban. Manhattan Beach has appealed to the California Supreme Court, and it has granted review. • The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores. • On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. San Jose is currently preparing an EIR. The San Jose ban is scheduled to take effect January 1, 2011. • The city of Fairfax dropped their plans to ban plastic bags under threat of lawsuit. • In August 2008, the city of Solana Beach began a voluntary recycling program for plastic bags. In December 2007, the city enacted a law prohibiting plastic bags used for advertising that is thrown onto driveways and yards or hung on doorknobs. • On February 23, 2010, the Santa Cruz City Council unanimously endorsed a countywide effort to ban single use plastic bags and reduce paper bags handed out by retailers.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>These actions have all been completed. In Spring 2010, a recommendation will be submitted to your Board to phase out EPS food containers at all County operations.</p>
<p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. 	<p>October 2008</p>	<ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Specific Program Components (EPS) (continued)</p> <ul style="list-style-type: none"> • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. • Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. • Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> - Task 1: Establish consumption baseline - Task 2: Analyze products by function - Task 3: Develop alternative products listing, pricing - Task 4: Life-cycle assessment of baseline products and proposed alternative products - Task 5: Final Report 	<p>November 2008</p> <p>March 2009; Ongoing</p> <p>July 2009</p>	<ul style="list-style-type: none"> • Completed. Findings from the consultant's study were discussed with the Working Group in September and October 2009, and will be submitted to your Board along with the recommendations discussed above. • Completed. On 7/29/09, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. Public Works also distributed a fact sheet and contact information to Department representatives. • Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. • RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. • RPN recommends that the County and its contractors: <ul style="list-style-type: none"> - Cease purchase and use of EPS food containers at all County operations. - Use reusable food containers if feasible. - Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. - Use food containers made from paper if reusables are not feasible and disposables will be recycled. - Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued) <ul style="list-style-type: none"> The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. 	<p>Every six months for three years</p> <p>No date specified</p> <p>No date specified</p>	<ul style="list-style-type: none"> The EET has been briefed and is prepared to develop the progress reports subject to Board action. Materials to increase public awareness regarding EPS food container litter and alternative products are being developed. Since the Sheriff's Department facilities can accommodate onsite collection of used EPS food containers, ISD has solicited a vendor to collect and recycle the EPS food containers generated. One responsive bid was received; we anticipate that a contract will be executed and the vendor will begin recycling operations by December 1, 2010, following procurement, installation, and testing of additional equipment by the vendor to satisfy contract requirements.
Phasing Out EPS Food Containers in Unincorporated County Areas <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. 	<p>No date specified</p>	<p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers in Unincorporated County Areas (continued)</p> <ul style="list-style-type: none"> Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 		
<p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products. 	No date specified	<p>Assembly Bill 2138 (Chesbro) proposes to prohibit a food provider (including restaurants, grocery stores, supermarkets, delicatessens, and catering trucks) from distributing after July 1, 2011 until January 1, 2013, a disposable food service packaging or single-use carryout bag unless the packaging or bag meets the criteria for either compostable packaging or recyclable packaging as follows:</p> <ul style="list-style-type: none"> “Compostable packaging” is defined as packaging that meets all of the following criteria: <ul style="list-style-type: none"> Accepted back for composting by the food provider. Accepted for composting in a residential collection program available to at least 75 percent of the households in the jurisdiction in which it is distributed, as determined pursuant to the regulations adopted by CalRecycle. Made of material that meets the American Society for Testing and Materials (ASTM) standard specification for Compostable Plastics D6400.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
		<ul style="list-style-type: none"> • “Recyclable packaging” is defined as packaging that meets all of the following criteria: <ul style="list-style-type: none"> ○ Accepted back for recycling by the food provider. ○ Accepted for recycling in a residential collection program available to at least 75 percent of the households in the jurisdiction in which it is distributed, as determined pursuant to regulations adopted by CalRecycle. <p>On and after July 1, 2013, a food provider shall not distribute a disposable food service packaging or single-use carryout bag to a consumer; unless CalRecycle determines the disposable food service packaging or single-use carryout bag is recovered for composting or recovered for recycling at a rate of 25 percent or more.</p>



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

August 5, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM AND EXPANDED POLYSTYRENE FOOD CONTAINERS - FINAL QUARTERLY PROGRESS REPORT

On January 22, 2008, your Board adopted the County of Los Angeles' Single Use Bag Reduction and Recycling Program (Program), and instructed the Chief Executive Officer (CEO) to implement the Program, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers. Your Board further directed the CEO to provide quarterly progress reports to the Board and to interested stakeholders.

On May 22, 2007, your Board also approved a number of actions related to the use of expanded polystyrene (EPS) food containers at County facilities, and at food service establishments and retail stores in the unincorporated County areas. This quarterly report also provides an update of our efforts to implement the EPS program.

Single Use Bag Reduction and Recycling Program

Program Evaluation

In January 2008, your Board adopted benchmarks to establish numerical standards by which to evaluate the effectiveness of stores in reducing single-use plastic bags. The first Board-established voluntary benchmark, using total consumption during Fiscal Year (FY) 2007-08 as the baseline, is 30 percent disposal reduction by July 1, 2010.

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Public Works initially planned to address the benchmark utilizing data from the California Department of Resources and Recycling (CalRecycle) however, as discussed below, when the data was not available for the unincorporated areas, the Department attempted to directly collect the data from the unincorporated area stores. This methodology resulted in a limited response from stores as documented in Attachment I.

CalRecycle Data Collection

In an effort to establish baseline consumption data for FY 2007-08, Public Works attempted to work with CalRecycle over a two year period since large supermarkets and retail stores are required by State law to submit plastic bag consumption and recycling data to CalRecycle. Although CalRecycle provided recycling data for calendar years 2007 and 2008, this data does not enable us to calculate accurate baseline consumption figures because:

- Data is aggregated Statewide making it virtually impossible to identify the proportion attributable to the County's unincorporated areas.
- Most data received from CalRecycle are aggregated by store chain due to the corporate reporting procedure of most companies even though State law requires stores to maintain store-specific data.
- Plastic film is commingled with plastic bags by stores for recycling and CalRecycle has not been able to develop an accurate ratio by which to estimate the percentage of plastic bags contained in the commingled plastic film.

Public Works Data Collection

Due to the above cited limitations from CalRecycle, Public Works attempted to work directly through the 67 unincorporated area stores to obtain the necessary data. Public Works experienced significant challenges and delays in collecting this data despite sending letters, repeatedly calling store managers, and meeting directly with store personnel. As indicated in Attachment I, Public Works has collected limited purchasing and/or recycling data from 31 out of the 67 stores located in the County unincorporated areas. A total of 14 stores have provided data for all years, however, this recycling data is for commingled plastic film with no method identified for adjusting the stated amounts to account only for plastic bags. Additionally, the majority of stores have yet to provide any data to the County even though State regulation requires that they retain this data and make it available upon request. Therefore, this data collection methodology has not enabled us to obtain data to determine if the first voluntary Program benchmark has been achieved.

American Chemistry Council Proposed Data Collection

At the request of the American Chemistry Council (ACC), the Working Group had agreed to include plastic bags that are recycled through curbside recycling programs in the benchmark calculation. The ACC submitted a report of plastic bags recycled from material recovery facilities (MRFs) that collect plastic film and bags from curbside programs, covering calendar years 2007-09. Public Works has determined that this report cannot be used in its current form because it contains incomplete information and data that is difficult to segregate and/or verify. Public Works has requested the following important follow-up information from the ACC for verification:

- Percentage of plastic bags present in the soft plastic recycling stream, which may include plastic bags, plastic film, or other plastic products and materials.
- Amount of soft plastic specifically originating from County unincorporated areas.
- Quantity of soft plastic originating from curbside programs, segregated from materials originating from commercial sources (which likely include store-collected materials already accounted for in data provided by CalRecycle and/or individual stores).
- Amount of soft plastic recycled or recovered from the total amount processed by the facility (the remainder would be contaminated materials sent for disposal).

Public Works has been unable to verify this information either through ACC or directly through the MRFs that provided the data originally. In many cases, it appears that the MRFs did not track this information or for proprietary reasons are unwilling to share it publicly. In order to develop a methodology to include curbside recycling in the calculation of the benchmark, the above issues must be addressed to ensure that only plastic bags are counted; bags counted as recycled are actually being recycled; and the same bags are not counted at multiple stages of the recycling process. The estimated plastic bag recycling figures may be substantially inflated without such verification. Additionally, absent these critical factors, estimates could only be extrapolated, with questionable accuracy, based on limited data currently available.

Recommendation

Over a two year period and despite State law, stores in the unincorporated area have not provided data that would enable Public Works to determine if the voluntary Program benchmark of 30 percent disposal reduction of plastic bags has been met. Therefore, this report will be presented to the Working Group with the following recommendations:

1. Discontinue the County's labor-intensive outreach to stores to collect data.
2. Finalize the Environmental Impact Report (EIR) and ordinance to ban plastic bags for adoption by the Board of Supervisors (see discussion below).
3. Continue to support AB 1998 that seeks to ban single-use bags Statewide (the bill will be considered by Senate Appropriation Committee on August 12, 2010).

Draft Ordinance to Ban Plastic Carryout Bags at Large Supermarkets and Retail Stores

County Counsel is preparing a draft ordinance to ban plastic bags that will be presented for consideration in October 2010, as directed by your Board. Accordingly, we are working with County Counsel, Public Works, and a consultant to prepare a Countywide EIR that will be submitted for consideration with the draft ordinance.

The draft EIR was publicly released on June 2, 2010, and distributed to stakeholders and interested cities. The public meetings were announced through a Notice of Availability (NOA) of the draft EIR, and were further advertised in the Los Angeles Times. In addition, the NOA was mailed to local and responsible agencies that might have an interest in the proposed ordinances, as well as interested parties, including private organizations and individuals. A flyer advertising the six public meetings was sent to various town councils and improvement associations in the unincorporated County communities. An electronic copy of the draft EIR was made available to the public online through both the Program and Public Works websites and in compact disc format at all County libraries. Hard copies of the draft EIR and NOA were also made available for public review at Public Works headquarters and select County libraries.

Public meetings were held in each supervisorial district during June and July, which provided an opportunity for residents and other interested stakeholders to provide feedback regarding the draft EIR. All comments submitted during the public review period for the draft EIR, which ended on July 16, 2010, will be addressed in the Final EIR document.

Each Supervisor
August 5, 2010
Page 5

Expanded Polystyrene Food Containers

Feasibility of Phasing Out EPS Food Containers at County Facilities

A Board letter will be submitted this summer that recommends a strategy for your consideration restricting EPS food container usage by County departments and implementing an EPS food container collection and recycling program with the Sheriff.

Summary

Attachment II provides a summary of public outreach activities and events at which Public Works participated. Attachment III provides a detailed status of the Single Use Bag Reduction and Recycling and EPS Programs. Per your Board's direction on June 1, 2010, by the end of October, we will be requesting that your Board consider for approval the draft Ordinance to ban plastic carryout bags, as well as a completed EIR in support of this Ordinance. If you have any questions regarding this final report, please contact me, or your staff may contact Dorothea Park at (213) 974-4283, or via e-mail at dpark@ceo.lacounty.gov.

WTF:BC
DSP:BK:acn

Attachments (3)

c: All Department Heads
Sanitation Districts of Los Angeles County
Sapphos Environmental, Inc.

STORE PARTICIPATION SUMMARY

Store Name	Address	Zip	Community	SD	Checklist Received	Meets Minimum Participation	Bag Data		
							2007 (Jul-Dec)	2008 (Jan-Dec)	2009 (Jan-Dec)
99 Ranch Market #18	1645 S Azusa Avenue	91745	Hacienda Heights	4	x		All	All	All
99 Ranch Market #3	1015 Nogales Street	91748	Rowland Heights	1	x		All	All	All
Action Market	3638 Smith Avenue	93510	Acton	5	x				
Albertsons #6301	23850 W Copper Road	91355	Saugus	5	x	x	All	All	
Albertsons #6422	26850 The Old Road	91381	Stevenson Ranch	5	x		All	All	
Albertsons #6537	19725 Colima Road	91748	Rowland Heights	4	x		All	All	
Albertsons #6580	17120 Colima Road	91745	Hacienda Heights	4	x		All	All	
Best Way Markets	19050 La Puente Road	91792	Valinda	1	x				
Big Saver Foods	5829 Compton Avenue	90001	Florence-Firestone	2	x		All	All	All
Bodega R-Ranch Mkt #4	8601 Hooper Avenue	90002	Florence-Firestone	2					
Cost Saver Market #2	1141 W Carson Street	90502	West Carson	2					
Cost Saver Market	22905 S Vermont Avenue	90502	West Carson	2					
CVS #4065	858 Sunset Avenue	91744	Valinda	1	x				R
CVS #8898	7300 Alameda Street	90255	Walnut Park	1	x				R
CVS #9477	5399 W Centinela Avenue	90045	Ladera Heights	2	x			R	R
CVS #9507	650 E El Segundo Boulevard	90059	Willowbrook	2	x				R
CVS #9531	4501 W Slauson Avenue	90043	View Park	2	x				R
CVS #9688	451 S Sierra Madre Boulevard	91107	East Pasadena	5	x	x		R	R
CVS #9696	10048 Mills Avenue	90624	South Whittier	4	x				R
CVS #9730	2141 S Hacienda Boulevard	91745	Hacienda Heights	4	x			R	R
Dominguez FW	15107 S Atlantic Avenue	90221	E. Rancho Dominguez	2					
El Super	1301 E Gage Avenue	90001	Florence-Firestone	2	x				
El Super #4	3405 E Cesar E Chavez Avenue	90063	East Los Angeles	1	x				
Food 4 Less #334	11407 S Western Avenue	90047	West Athens	2	x				
Food 4 Less #378	11840 Wilmington Avenue	90059	Willowbrook	2	x				
Food 4 Less #368	851 Sepulveda Boulevard	90502	West Carson	2					
Greenland Market	18901 Colima Road	91748	Rowland Heights	1	x		All	All	
Howie's Ranch Market	6580 San Gabriel Boulevard	91775	East San Gabriel	5	x			R	
Hows Market	3035 Huntington Drive	91107	East Pasadena	5	x		All	All	All
Payless Foods #10	620 E El Segundo Boulevard	90059	Willowbrook	2	x				
Ralphs #1	2675 Foothill Boulevard	91214	La Crescenta	5	x				All
Ralphs #84	29675 The Old Road N	91384	Castaic	5	x				All
Ralphs #143	31970 Castaic Road	91384	Castaic	5	x	x			All
Ralphs #185	5245 W Centinela Avenue	90045	Ladera Heights	2	x				All
Ralphs #279	4700 Admiralty Way	90292	Marina Del Rey	4	x				All
Ralphs #626	520 Workman Mill Road	91746	Valinda	1	x				All
Ralphs #630	2270 N Lake Avenue	91001	Altadena	5	x				All
Ralphs #757	24975 Pico Canyon Road	91381	Stevenson Ranch	5	x				All
Rite Aid #5423	11750 Wilmington Avenue	90059	Florence-Firestone	2	x		All	All	All

**Single Use Bag Reduction and Recycling Program
Public Outreach Events: May 2010 – July 2010**

- Earth Day celebrations - Over 25,000 people visited Public Works' environmental booth at 12 events; approximately 4,000 reusable bags were distributed.
- May 13, 2010 - approximately 250 reusable bags were distributed at Parks Summit, hosted by the County Department of Parks and Recreation, held at the County Arboretum in Arcadia.
- June 3, 2010 - Public Works staff had a booth at the Marvin Elementary School Environmental Fair in Los Angeles and distributed 100 reusable bags.
- June 14, 2010 - Public Works staff distributed 30 reusable bags as part of an environmental presentation in Alhambra during Go Green Week at Emmaus Lutheran Church and School.
- June 26, 2010 - approximately 300 reusable bags were distributed at the Lennox Family Festival held at Lennox Park.
- June 27, 2010 - approximately 1,100 reusable bags were distributed at the Fiesta de Futbol at the Los Angeles Convention Center, hosted by ESPN Deportes 1330AM.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
Store Related Efforts <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p>	<p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing is updated as information is received from CalRecycle and Department of Public Health, and confirmed through store visits. Staff is coordinating with stores and CalRecycle to obtain at-store recycling data. Industry representatives have provided curbside recycling data, and staff is verifying. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display prominent anti-litter messages or other environmental outreach. Department of Public Works (DPW) staff will encourage implementation of program elements during their store visits. Participation levels have been established as criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Program website, Brag About Your Bag® reusable bags, brochures, and other outreach materials distributed at community events and shared with partner cities.
Additional Program Components <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. 	<p>July 1, 2008; ongoing</p>	<ul style="list-style-type: none"> The public education Brag About Your Bag® Campaign, which encouraged residents to recycle plastic bags in exchange for free reusable bags, collected plastic bags that were gathered together to form a plastic bag ball structure. Plans are being developed to promote the structure at public events, County facilities, and to the media.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> • Develop a Store Recognition Program. • Identify litter hot spots and develop a focused anti-litter campaign. • Maximize recycled content and promote recycling markets for all single use bags. • Ban plastic carryout bags at County facilities. • Continue to encourage cities to join Program. 	<p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>October 2010</p> <p>Ongoing</p>	<ul style="list-style-type: none"> • Store evaluation sheets have been reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet. • Staff identified litter hot-spots through storm drain clean up data, and developed focused anti-litter campaigns, such as the month-long countywide Bag About Your Bag® Campaign. Participation by stores located within litter hot spots was a priority of the Campaign. • According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Plastic bag manufacturers have provided samples of plastic bags made of 100% recycled agricultural film. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. • County departments' use of plastic carryout bags is limited to four gift shops and the Department of Community and Senior Services' (DCSS) meals program. DCSS will encourage voluntary use of alternatives until the current contract expires in Fiscal Year 2010-11, at which time plastic bags will be prohibited. The gift shops will transition to alternatives by October 2010. • Staff continues to contact cities to expand the reach of this voluntary Program. Twelve cities are now partnering with the County on the Program, including the City of Agoura Hills which adopted a resolution on 3/10/2010.

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
Additional Program Components (continued) <ul style="list-style-type: none"> Expand Program to Category 2 / Category 3 stores. 	July 2009	<ul style="list-style-type: none"> Though not subject to the State's recycling and reporting requirements, staff has distributed information to 64 of these stores to encourage participation. Additional stores in the unincorporated County areas are being confirmed from a list of 1,791 prospective locations compiled through various agencies. Staff will continue outreach efforts to encourage voluntary participation in the Program.
County Ordinance: Enforcement of Benchmarks <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be considered:</p> <ol style="list-style-type: none"> 30 percent reduction by July 1, 2010 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p>		<p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) will be prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings and incorporate feedback from stakeholders, the EIR and ordinance will be submitted to your Board for consideration by October 2010.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. Although settlement proposals were exchanged, no settlement has been reached. A writ hearing for the lawsuit was held April 29, 2010. Following the hearing, the parties stipulated to dismissal of the California Environmental Quality Act (CEQA) writ action with prejudice, and the Court on May 3, 2010 denied the Coalition's request for declaratory relief seeking an order that the County was preempted by state law from banning plastic bags. The Court found the declaratory relief was not ripe given the County had not adopted an ordinance to ban plastic bags.</p>

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
County Ordinance: Enforcement of Benchmarks (continued)		CalRecycle has provided DPW with the 2008 Plastic Bag Recycling Report data. DPW staff is contacting stores and recycling facilities directly to obtain data needed to determine how unincorporated areas compare to the established disposal reduction benchmarks set by the Board.
County Ordinance: Environmental Awareness Message Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.	No due date specified	<ul style="list-style-type: none"> Since an ordinance banning plastic bags at Category 1 stores would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. Staff is coordinating with stores to voluntarily add the currently mandated message per AB 2449 to each single use plastic carryout bag.
Board adopted State Legislative Position to Reduce Plastic Bag Litter On June 1, 2010 your Board revised the County's State legislative agenda regarding single use bags to read as follows: Support legislation which reduces the environmental impacts of single use carryout bags and decreases the financial burden on local governments to address those impacts, including legislation which seeks to promote the use of reusable bags, reduce the use of plastic or paper carryout bags, and/or increase at-store recycling of carryout bags.	Ongoing	<p>Assembly Bill 1998 (Brownley) Amended May 28, 2010, if enacted, would among other things:</p> <ul style="list-style-type: none"> Restrict supermarkets, retail spaces over 10,000 square feet with a pharmacy, convenience food stores, and food marts from providing single use carryout bags to customers at the point of purchase beginning July 1, 2013; Require stores to make available reusable bags for purchase; Require stores to make available recycled paper bags for purchase at a cost of no less than \$0.05 per bag; and

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM			
PROGRAM ELEMENT	DUE DATE	STATUS	
		<ul style="list-style-type: none"> Allow stores to provide participants in the California Special Supplemental Food Program for Women, Infants, and Children a reusable or recycled paper bag at no cost. <p>On June 2, 2010 Governor Arnold Schwarzenegger issued a statement commending the Assembly for passing AB 1998 by Assembly Member Julia Brownley to ban single use carryout plastic bags. On July 15, 2010, the bill passed out of the Senate Environmental Quality Committee on a party line vote. It will be heard at the Senate Appropriations Committee on August 12, 2010.</p>	
City Actions and Related Litigation On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA. In 2008, the Los Angeles City Council voted to ban plastic bags and charge a fee on other carryout bags by January 1, 2010, if a statewide fee of at least 25-cents on plastic bags is not implemented by that time, and to phase-out EPS food containers throughout City operations over the next two years as follows:	Not Applicable	In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus nullifying the ordinance. The City has not pursued further action.	<ul style="list-style-type: none"> Implemented Implemented To be determined

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SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM		
PROGRAM ELEMENT	DUE DATE	STATUS
<p>City Actions and Related Litigation (continued)</p> <p>Since 2008, the following additional California cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Malibu • Santa Monica • Gardena • Manhattan Beach • Palo Alto • San Jose • Fairfax • Solana Beach • County and City of Santa Cruz 	Not Applicable	<ul style="list-style-type: none"> • Malibu voted to ban non-compostable and compostable single use plastic shopping bags for point-of-sale distribution on May 27, 2008; the ban took effect December 27, 2008. • On January 27, 2010, a California appeals court upheld an order requiring Manhattan Beach to consider the environmental impacts of its ban on plastic bags by preparing an EIR prior to implementing a ban. Manhattan Beach has appealed to the California Supreme Court, and it has granted review. • The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores. • On September 22, 2009 the City of San Jose's city council voted to ban single use plastic and paper bags. San Jose is currently preparing an EIR. The San Jose ban is scheduled to take effect January 1, 2011. • The city of Fairfax dropped their plans to ban plastic bags under threat of lawsuit. • In August 2008, the city of Solana Beach began a voluntary recycling program for plastic bags. In December 2007, the city enacted a law prohibiting plastic bags used for advertising that is thrown onto driveways and yards or hung on doorknobs. • On February 23, 2010, the Santa Cruz City Council unanimously endorsed a countywide effort to ban single use plastic bags and reduce paper bags handed out by retailers.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
<p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. 	<p>Indicated below by Program Element</p>	<p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>These actions have all been completed. In Summer 2010, a recommendation will be submitted to your Board to phase out EPS food containers at all County operations.</p>
<p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. 	<p>October 2008</p> <p>November 2008</p>	<ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study regarding end of life management have also been incorporated into this policy. • Completed. Findings from the consultant's study were discussed with the Working Group in September and October 2009, and will be submitted to your Board along with the recommendations discussed above.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™

PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued)		
<ul style="list-style-type: none"> Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. 	March 2009; Ongoing	<ul style="list-style-type: none"> Completed. On 7/29/09, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. Public Works also distributed a fact sheet and contact information to Department representatives.
<ul style="list-style-type: none"> Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> Task 1: Establish consumption baseline Task 2: Analyze products by function Task 3: Develop alternative products listing, pricing Task 4: Life-cycle assessment of baseline products and proposed alternative products Task 5: Final Report 	July 2009	<ul style="list-style-type: none"> Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. Responsible Purchasing Network (RPN) concludes that the waste disposal of any food service container is the key factor in its emissions footprint. RPN recommends that the County and its contractors: <ul style="list-style-type: none"> Cease purchase and use of EPS food containers at all County operations. Use reusable food containers if feasible. Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. Use food containers made from paper if reusables are not feasible and disposables will be recycled. Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible.
<ul style="list-style-type: none"> The EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. 	<p>Every six months for three years</p> <p>No date specified</p>	<ul style="list-style-type: none"> The EET has been briefed and is prepared to develop the progress reports subject to Board action. Materials to increase public awareness regarding EPS food container litter and alternative products are being developed.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
Specific Program Components (EPS) (continued) <ul style="list-style-type: none"> DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff's Department. 	No date specified	<ul style="list-style-type: none"> Since the Sheriff's Department facilities can accommodate onsite collection of used EPS food containers, ISD has solicited a vendor to collect and recycle the EPS food containers generated. One responsive bid was received; we anticipate that a contract will be executed and the vendor will begin recycling operations by December 1, 2010, following procurement, installation, and testing of additional equipment by the vendor to satisfy contract requirements.
Phasing Out EPS Food Containers in Unincorporated County Areas <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. 	No date specified	<p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders, 12 months following Board action to phase out the use of EPS at County operations.</p>

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
<p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> Support legislation that would phase out the use of EPS food containers and encourage the use of alternative products. 	No date specified	<p>Assembly Bill 2138 (Chesbro) proposes to prohibit a food provider (including restaurants, grocery stores, supermarkets, delicatessens, and catering trucks) from distributing after July 1, 2011 until January 1, 2013, a disposable food service packaging or single-use carryout bag unless the packaging or bag meets the criteria for either compostable packaging or recyclable packaging as follows:</p> <ul style="list-style-type: none"> “Compostable packaging” is defined as packaging that meets all of the following criteria: <ul style="list-style-type: none"> Accepted back for composting by the food provider. Accepted for composting in a residential collection program available to at least 75 percent of the households in the jurisdiction in which it is distributed, as determined pursuant to the regulations adopted by CalRecycle. Made of material that meets the American Society for Testing and Materials (ASTM) standard specification for Compostable Plastics D6400. “Recyclable packaging” is defined as packaging that meets all of the following criteria: <ul style="list-style-type: none"> Accepted back for recycling by the food provider. Accepted for recycling in a residential collection program available to at least 75 percent of the households in the jurisdiction in which it is distributed, as determined pursuant to regulations adopted by CalRecycle.

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS – COMMONLY KNOWN AS STYROFOAM™		
PROGRAM ELEMENT	DUE DATE	STATUS
Board adopted State Legislative Position to Reduce EPS Food Container Litter (continued)		<p>On and after July 1, 2013, a food provider shall not distribute a disposable food service packaging or single-use carryout bag to a consumer; unless CalRecycle determines the disposable food service packaging or single-use carryout bag is recovered for composting or recovered for recycling at a rate of 25 percent or more.</p> <p>AB 2138 (Chesbro) was held in the Assembly Appropriations committee, essentially killing the bill for this legislative session.</p>



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

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November 16, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS
CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT
ADOPT ORDINANCE
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to certify the Environmental Impact Report and adopt an Ordinance restricting the use of plastic carryout bags and imposing a ten (10) cent charge on recyclable paper carryout bags at stores, as defined, in the County unincorporated areas.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Certify that the Final Environmental Impact Report for the Proposed Ordinances to Ban Plastic Carryout Bags in Los Angeles County has been completed in compliance with the California Environmental Quality Act and reflects the independent judgment and analysis of the County of Los Angeles; find that the Board has reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the project; adopt the Mitigation Monitoring Program, finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific considerations of the project, as outlined in the Environmental Findings of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated by reference.
2. Approve and adopt the Ordinance banning plastic carryout bags at all supermarkets and other grocery stores, convenience stores, pharmacies, and drug stores located in the County

unincorporated areas, while requiring stores that provide recyclable paper carryout bags to impose a charge of ten (10) cents per bag to a customer, effective beginning July 1, 2011, for certain affected stores and January 1, 2012, for all other affected stores.

3. Find that the proposed Ordinance has no effect on fish and wildlife and authorize the Director of the Public Works to complete and file a Certificate of Fee Exemption for the project with the County Clerk.
4. Direct the Department of Public Works to communicate and collaborate with all cities in Los Angeles County and local Councils of Government to encourage cities to adopt ordinances consistent with the County's Ordinance in order to coordinate local action to reduce the regional environmental impact resulting from single-use plastic bags and litter attributable to their use.
5. Direct the Departments of Agricultural Commissioner/Weights and Measures and Public Health to assist with enforcement of the Ordinance by monitoring compliance during the conduct of their respective routine inspection and regulatory activities and by reporting any apparent violations to the Department of Public Works.
6. Direct the Department of Public Works to monitor Statewide legislative efforts regulating single-use carryout bags, and update the Board as needed regarding these Statewide legislative efforts and how they impact the Ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions would regulate the use of plastic and paper carryout bags in the County unincorporated areas and greatly reduce the various environmental impacts caused by such bags.

Recommended Project

The recommended project for adoption, as analyzed in the Final Environmental Impact Report (FEIR, Enclosure I) under Alternative 5, is an Ordinance (Enclosure II) banning plastic carryout bags and imposing a ten (10) cent charge on recyclable paper carryout bags at all supermarkets and other grocery stores, pharmacies, drug stores, convenience stores, and foodmarts. Following consultation with County Counsel and the Chief Executive Office (CEO), the Department of Public Works (Public Works) recommends pursuing Alternative 5, as contained in the enclosed draft Ordinance. Alternative 5 meets all six of the project objectives specified by the County:

- Conduct outreach to all 88 incorporated cities of the County to encourage adoption of comparable ordinances.
- Reduce the Countywide consumption of plastic carryout bags from the current estimate of 1,600 plastic carryout bags per household in 2007 to fewer than 800 plastic bags per household in 2013.
- Reduce by 50 percent by 2013 the Countywide contribution of plastic carryout bags to litter that blights the County's public spaces.
- Reduce by \$4 million the County's, cities', and Los Angeles County Flood Control District's costs for prevention, cleanup, and enforcement efforts to reduce litter in the County.

- Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 50,000 residents (5 percent of the population) with an environmental awareness message.
- Reduce Countywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts.

Background

On January 22, 2008, your Board directed the CEO, working with the Director of Public Works and County Counsel to submit a draft Ordinance banning plastic carryout bags and to complete any review required by the California Environmental Quality Act (CEQA) prior to submitting the Ordinance. County staff completed the enclosed FEIR (Enclosure I).

As detailed in Enclosure III, Public Works determined that the voluntary Single-Use Bag Reduction and Recycling Program (Program) was not successful in achieving its goals. Over a two-year period and despite State law requirements under AB 2449 (stores are to maintain and make available to local jurisdictions records for a minimum of three years describing the collection, transport, and recycling of plastic bags), stores in the County unincorporated areas did not provide data that would enable Public Works staff to determine if the voluntary Program benchmark of 30 percent disposal reduction of plastic bags by July 1, 2010, was met. In addition, throughout the course of the voluntary Program, not more than eight (8) stores at any given time had met the minimum participation levels. Although the public education and outreach aspects of the voluntary Program, including the Brag About Your Bag Campaign®, raised awareness of the impacts of single-use bags and the benefits of reusable bags, it could not be determined if this awareness translated into a shift in consumer behavior that was significant enough to address the major objectives of the County.

Recommended Ordinance Provisions

The recommended Ordinance will ban the issuance of plastic carryout bags and place a ten (10) cent charge on the issuance of recyclable paper carryout bags by an affected store, as defined. The Ordinance requires a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags. The Ordinance also encourages a store to educate its staff to promote reusable bags and to post signs encouraging customers to use reusable bags. The stores that will be affected are located within the County unincorporated areas and are one of the following:

1. A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, that sell a line of dry grocery, canned goods, or non-food items and some perishable items; or
2. A store of at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 [commencing with Section 7200] of Division 2 of the Revenue and Taxation Code) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or
3. A drug store, pharmacy, supermarket, grocery store, convenience food store, foodmart, or other entity engaged in the retail sale of a limited line of goods that includes milk, bread, soda, and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control.

The operative effect of the recommended Ordinance is phased. Larger grocery stores and pharmacies will have until July 1, 2011, to comply, and all other affected stores will have until January 1, 2012, to comply.

The Ordinance includes compostable and biodegradable plastic carryout bags in the definition of plastic carryout bags, and, as a result, these types of plastic bags will be banned as well. The Ordinance imposes a ten (10) cent charge on the recyclable paper carryout bag, and requires that the paper bags be one hundred percent (100%) recyclable overall, contain a minimum of forty percent (40%) post-consumer recycled material, and accepted for recycling in curbside programs in the County, among other criteria. With respect to reusable bags, the Ordinance requires that the reusable bag be designed for a minimum lifetime of 125 uses, be machine washable and not contain lead, cadmium, or any other heavy metal in toxic amounts, among other criteria.

All monies collected by a store will be retained by the store and may be used for costs associated with complying with the requirements of the Ordinance, actual costs of providing recyclable paper carryout bags, or costs associated with a store's educational materials or education campaign encouraging the use of reusable bags, if any. The recommended Ordinance also requires affected stores to report to Public Works on a quarterly basis, the number of recyclable paper carryout bags provided, the total monies collected by that store, and a summary of any efforts the store has undertaken to promote the use of reusable bags by customers during the prior quarter. Public Works will report back to your Board on the effectiveness of the Ordinance using this data on an annual basis.

The Ordinance does exempt the ten (10) cent charge for those customers who are participating either in the California Special Supplemental Food Program for Women, Infants, and Children or the Supplemental Food Program. Stores must provide at the point of sale, free of charge, either reusable bags or recyclable paper carryout bags or both, to these customers, at the store's option. Customers may also opt to use their own reusable bags or not use any bag.

Assembly Bill 1998 (AB 1998)

The Ordinance contains provisions which are similar to the most recent version of AB 1998 by author Julia Brownley (D-Santa Monica). AB 1998 would have prohibited supermarkets and large retail stores with a pharmacy from providing a single-use plastic carryout bag to customers. After extensive discussions at the State level among numerous stakeholders, including local governments, environmental organizations, grocers, and industry, an amended version was developed which placed a fee on single use paper bags and expanded the ban to a broader section of retail food stores. The Bill, which was defeated in the Senate on August 31, 2010, was supported by the County Integrated Waste Management Task Force, the Board of Supervisors, and 145 other organizations including stores, labor unions, and government officials.

Assessment of Ten (10) Cent Charge

Based on the analysis in the FEIR, comments from stakeholders, research conducted by Public Works, and available resources, it was determined that a ten (10) cent charge on paper carryout bags is sufficient at this time to avoid a wholesale switch by customers from single-use plastic bags to paper carryout bags and to minimize the potential for trading one set of environmental impacts for another. The ten (10) cent charge is large enough to deter a significant transition to paper carryout bags, while allowing an affected store to only recover the reasonable cost of compliance with the Ordinance.

The discussion of Alternative 5 in the FEIR noted the effectiveness of a fee or charge of at least five (5) cents on paper carryout bags. The FEIR noted the success of Washington D.C.'s five (5) cent fee implemented earlier this year for each disposable carryout bag provided. The District of Columbia Office of Tax and Revenue estimated that affected establishments issued about 3.3 million bags in January 2010, which was a significant 86 percent decrease from the estimated 22.5 million bags issued per month in 2009. To further deter a significant transition to paper bags, Public Works staff recommends implementing the higher charge of ten (10) cents.

The ten (10) cent charge is also sufficient to cover the reasonable costs of compliance with the Ordinance by affected stores. The ten (10) cent charge will be retained by the stores to cover their actual costs for providing recyclable paper carryout bags, a store's own educational materials or education campaign encouraging the use of reusable bags, if any, and cost of compliance with the Ordinance. Research conducted by Public Works in the staff report "An Overview of Carryout Bags in Los Angeles County," as cited in the FEIR, indicates that the average cost per bag of paper carryout bags is ten (10) cents, with a reasonable range being between five (5) and twenty three (23) cents, depending on whether the bags have handles, the minimum percentage of recycled content, the quality of the bag, and other factors. The Master Environmental Assessment (MEA) on Single-Use and Reusable Bags (March 2010) prepared by Green Cities California, estimates a similar range of costs for paper carryout bags of fifteen (15) to twenty five (25) cents per bag. Subsequent discussions by staff with paper bag manufacturers and review of other references indicates that ten (10) cents is a reasonable average cost.

Aside from the actual cost of the recyclable paper carryout bags, potential costs of compliance by stores could include: free recyclable paper carryout bags or reusable bags provided to exempt customers; administrative costs of complying with the Ordinance, including quarterly reporting; any public education costs taken on by a store; labor costs to train employees about the requirements of the Ordinance; operational costs including programming their registers to reflect the purchase of recycled paper bags on a customer's receipt; and the total number of recyclable paper carryout bags sold and the cost of those bags. This is consistent with the findings in the City of Santa Monica Nexus Study (October 2009). Prior proposed State law, AB 87 (2009), which would have placed a twenty five (25) cent charge on plastic carryout bags, would have allowed retailers to retain seven (7) cents of the charge to recover their own costs of implementation. In addition, AB 68 (2009) would have allowed stores to keep ten (10) cents for paper bags.

Finally, the ten (10) cent charge for recyclable paper carryout bags is not a tax. Taxes are imposed for general revenue purposes rather than in return for a specific benefit conferred or privilege granted. Taxes raise revenue to finance general government services and functions and are usually placed into a general fund to pay for a variety of public services. In this case, no portion of the ten (10) cent charge is being remitted back to the County. The charge is being retained by the affected stores, as defined, to cover their costs of compliance with the Ordinance, including actual costs of providing recyclable paper carryout bags, or costs associated with a store's own educational materials or educational campaign encouraging the use of reusable bags, if any.

Education, Outreach, and Enforcement if Ordinance is Adopted

Upon adoption by your Board of the Ordinance, Public Works will initiate a focused public education and outreach effort in support of the Ordinance. This effort will include, at a minimum, the following aspects:

1. Collaborating with all incorporated cities in Los Angeles County and local Councils of Government, as described above, to encourage cities to adopt ordinances consistent with the County's Ordinance.
2. Coordinating with all affected stores in the County unincorporated areas to make them aware of the provisions of the Ordinance and encouraging them to ensure their customers are informed of the Ordinance in advance of the effective date. Materials will be provided to stores for them to share with customers. This effort will focus on the cost-effectiveness and environmental benefits of reusable bags. In addition to encouraging the use of reusable bags, this campaign will remind residents to wash their reusable bags and to recycle their paper bags at curbside along with other recyclables.
3. Providing information on the County's www.BragAboutYourBag.com website regarding the Ordinance. Public Works will also establish a dedicated hotline for residents or businesses to call with inquiries or to report violations.
4. Coordinating with manufacturers of reusable bags and recyclable paper carryout bags, and others, to determine appropriate certification and compliance procedures for the various bag standards in the Ordinance. Public Works is currently in discussion with certification agencies to provide third party certifications, which will help reusable bag manufacturers confirm that their products meet the Ordinance requirements. This will assist affected stores in identifying manufacturers who make compliant products.

Regarding enforcement, the Department of Agricultural Commissioner/Weights and Measures staff visits all stores that have a scanner, a scale, and/or sell pre-weighted packages of food (typically large stores and many smaller stores) once every one to two years during the conduct of their routine inspection and regulatory activities. The Department of Public Health visits a number of retail stores, including grocery stores, the main type of stores identified in the Ordinance, once per year for routine inspections. Meat markets and grocery store meat departments are visited up to three times per year by Public Health. These two Departments already visit all of the stores that would be subject to the Ordinance. Public Works will be responsible for follow-up compliance actions, which will comprise of (1) tracking and processing complaints or reports of stores being out of compliance; (2) sending warning letters to stores identified as being out of compliance; (3) conducting follow-up verification visits to determine compliance status; (4) issuing fines; and (5) processing appeals.

Public Works intends to use an existing system, which is currently used to track illegal dumping complaints, to track complaints and reports pertaining to violations of the Ordinance. A form letter will also be developed to issue warnings to stores. Follow-up visits to stores that have received warnings will be conducted by Public Works inspectors already engaged in daily field assignments. All response to complaints from the public or observations by other County Departments will be handled by Public Works in a timely manner.

In lieu of the more extensive voluntary Single-Use Bag Reduction and Recycling Program, existing Public Works resources will be shifted to this more focused public education effort. Public Works will seek out partnerships among stores, cities, environmental organizations, and other interested stakeholders wherever feasible to leverage additional opportunities to increase awareness of the Ordinance. Following the operative dates in the Ordinance, Public Works will also work to ensure compliance with the Ordinance by stores in the County unincorporated areas.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1), and Community and Municipal Services (Goal 3). The recommendation would reduce single-use bag consumption in the County unincorporated areas and associated litter, while promoting the use of reusable bags. The recommended action will help meet these goals by implementing environmentally responsible practices to reduce the County's impacts, promote environmental stewardship and coordinate departmental resources effectively to implement environmentally beneficial programs in a cost-effective manner. The recommended action would also help to reduce blight, litter, and other negative environmental impacts associated with single-use bags while promoting sustainability and improving the well-being of County unincorporated area residents.

FISCAL IMPACT/FINANCING

Costs of enforcement of the Ordinance by Public Works are to be fully offset by Public Works Solid Waste Management Fund. The adoption of the recommended Ordinance is not anticipated to have any impact on the County's General Fund or any Department budget.

Further, although not required by CEQA, Public Works initiated the development of an independent study (Enclosure IV) to evaluate the potential socio-economic impacts the Ordinance may have. The study found that the average expected per capita cost resulting from a ban on plastic carryout bags and the imposition of a charge of ten (10) cents on paper carryout bags is approximately \$5.72 per year.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As described above, the recommended Ordinance would ban single-use plastic carryout bags and impose a ten (10) cent charge at all supermarkets and other grocery stores, pharmacies, drug stores, convenience stores, and foodmarts located in the County unincorporated areas. The Ordinance would become operative for larger stores on July 1, 2011, and for all other affected stores on January 1, 2012.

Nothing in the Ordinance is intended to create any requirement, power, or duty in conflict with any Federal or State law.

ENVIRONMENTAL DOCUMENTATION

The FEIR was prepared in accordance with Section 15365 of the CEQA Guidelines. The original proposed project studied in the Draft EIR (DEIR) would have banned the issuance of plastic carryout bags at the larger supermarkets and retail establishments with a pharmacy in the County unincorporated areas, and it further evaluated impacts if all 88 cities adopted similar ordinances.

Notice of Preparation

On December 1, 2009, the County circulated the Notice of Preparation (NOP) for a DEIR for the proposed ordinances to the State Clearinghouse and to various Federal, State, regional, and local government agencies. A public Notice of Availability (NOA) of the NOP was published in the Los

Angeles Times. The NOP and Initial Study were mailed (or e-mailed) directly to approximately 480 agencies and interested parties. The NOP advertised six public scoping meetings for interested parties to receive information on the proposed ordinances and the CEQA process, as well as providing an opportunity for the submittal of comments. The meetings were held on December 7, 8, 9, 10, 11, and 14, 2009, at designated locations throughout the County. The comment period for the NOP and Initial Study closed on January 4, 2010. A total of 18 individuals attended the scoping meetings and a total of seven (7) comment letters were received in response to the NOP and Initial Study. The Initial Study determined that the proposed ordinances would not be expected to result in significant impacts to 12 environmental issue areas: aesthetics, agricultural and forestry resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, public services, recreation, and transportation and traffic.

Draft EIR and Public Comment

The DEIR was completed and forwarded to the Governor's Office of Planning and Research (OPR) State Clearinghouse on June 2, 2010, for a 45-day review period that ended on July 16, 2010. An electronic copy of the DEIR was made available at all public libraries in the County, and a hard copy of the DEIR was made available at each of 10 public libraries. An NOA of the DEIR was advertised for public review in the Los Angeles Times, delivered to all public libraries in the County, and sent to 27 public agency representatives and approximately 460 stakeholders, including private organizations and individuals. A total of 11 letters of comment and a petition including over 1,800 signatures were received in response to the DEIR. In addition, the County hosted six (6) public meetings throughout the County to provide the public with key findings of the DEIR and to solicit comments. All comments received and responses to the comments are included in the FEIR and were sent to relevant agencies pursuant to Section 21092.5 of the State CEQA Guidelines.

The FEIR was prepared based on the DEIR and incorporates clarifications and revisions resulting from public review of the DEIR.

Evaluation of Original Proposed Project and Alternatives

As a result of the Initial Study, comments received during the scoping period, and the environmental analysis undertaken in the DEIR, six (6) alternatives, including the "No Project Alternative," were determined to represent a reasonable range of alternatives to the proposed project:

1. No Project Alternative
2. Alternative 1, Ban Plastic and Paper Carryout Bags in Los Angeles County
3. Alternative 2, Ban Plastic Carryout Bags and Impose a Fee on Paper Carryout Bags in Los Angeles County
4. Alternative 3, Ban Plastic Carryout Bags for All Supermarkets and Other Grocery Stores, Convenience Stores, Pharmacies, and Drug Stores in Los Angeles County
5. Alternative 4, Ban Plastic and Paper Carryout Bags for All Supermarkets and Other Grocery Stores, Convenience Stores, Pharmacies, and Drug Stores in Los Angeles County

6. Alternative 5, Ban Plastic Carryout Bags and Impose a Fee on Paper Carryout Bags for All Supermarkets and Other Grocery Stores, Convenience Stores, Pharmacies, and Drug Stores in Los Angeles County

The FEIR evaluates the potential significant impacts from the original proposed project and the Alternatives to air quality, biological resources, greenhouse gas (GHG) emissions, hydrology and water quality, and utilities and service systems. In addition, the ability of each Alternative to assist in achieving the project objectives were evaluated.

With respect to the original proposed project, there were no significant impacts except to GHG emissions, where, under the County's conservative worst-case scenario, the indirect impacts from the life cycle of paper carryout bags including decomposition at the end of life, would have the potential to be cumulatively considerable. While the original proposed project meets all of the project objectives, it is not recommended because it does not regulate the issuance of paper carryout bags and would have impacted only a limited number of stores, compared to Alternatives that applied the Ordinance to a larger number of stores.

The No Project Alternative did not meet most of the project objectives, and was further not recommended because impacts to biological resources, hydrology and water quality, and utilities and service systems, would not be avoided or reduced under this Alternative.

Alternative 1 had no significant impacts because it would have banned all plastic and paper carryout bags at a limited number of affected stores. While Alternative 1 meets all the project objectives, this alternative is infeasible because it does not allow an option for consumers to purchase paper bags when they forget or do not know to bring their reusable bags. This Alternative is not recommended because the Ordinance would have a limited effect compared to other Alternatives that applied the Ordinance to a greater number of stores.

Alternative 2 had no significant impacts except to GHG emissions, where, under the County's conservative worst-case scenario, the indirect impacts from the life cycle of paper carryout bags including decomposition from the end of life, would have the potential to be cumulatively considerable. Alternative 2 also meets all of the project objectives. However, Alternative 2 is not recommended because the Ordinance would have a limited effect compared to other alternatives that applied the Ordinance to a greater number of stores.

With respect to Alternative 3, it was found not to have any significant impacts except to GHG emissions, where, under the County's conservative worst-case scenario, the indirect impacts from the life cycle of paper carryout bags including decomposition at the end of life, would have the potential to be cumulatively considerable. While Alternative 3 meets all of the project objectives, it is not recommended because it does not regulate the issuance of paper carryout bags.

Alternative 4 had no significant impacts because it would have banned all plastic and paper carryout bags at a greater number of stores. It is also the Environmentally Superior Alternative and meets all of the project objectives. However, Alternative 4 is infeasible because it does not allow an option for consumers to purchase paper bags when they forget or do not know to bring their reusable bags.

With respect to Alternative 5, it was found not to have any significant impacts except to GHG emissions, where, under the County's conservative worst-case scenario, the indirect impacts from the life cycle of paper carryout bags from decomposition at the end of life, would have the potential to

be cumulatively considerable. Alternative 5 also meets all of the project objectives. Alternative 5 is feasible because it bans plastic carryout bags at a greater number of stores, while retaining an option for consumers to purchase paper carryout bags.

Overriding Considerations

The economic, environmental and policy benefits of implementing the Ordinance (Alternative 5), outweigh and override the one adverse effect of the recommended Ordinance, as detailed in the Environmental Findings of Fact and Statement of Overriding Considerations (Enclosure I). The overriding considerations for the Ordinance include helping to reduce litter costs associated with plastic carryout bags and reducing the environmental impacts associated with plastic carryout bag use, including those impacts to marine wildlife. It is consistent with the County's commitment to environmental stewardship and to reduce single-use bag consumption and litter while increasing the use of reusable bags and recycling in the County unincorporated areas.

Mitigation Monitoring

To reduce the potential cumulative indirect impacts to GHG emissions from end of life decomposition of paper carryout bags, Mitigation Measure GHG-1 (Enclosure I) would monitor, reduce consumption of, and encourage the further recycling of paper carryout bags to offset GHG emissions due to end of life to the maximum extent feasible.

Upon your Board's certification of the FEIR and finding that the project has no effect on fish and wildlife, Public Works will file a certificate of fee exemption with the County Clerk in accordance with Section 711.4 of the California Fish and Game Code. Public Works will also file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the County Clerk.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Restricting the use of single-use plastic carryout bags and promoting environmentally friendly alternatives would raise environmental awareness of residents, assist the County in meeting the Federal Clean Water Act requirements, enhance the County's image as a leader in the area of environmental stewardship, and improve the quality of life for residents in the County unincorporated areas.

Following approval of the Ordinance, the Department of Agricultural Commissioner/Weights and Measures and the Department of Public Health will, when conducting their respective Retail Food Inspections Program and routine site visits, monitor those stores which are routinely inspected under their respective programs for compliance with the Ordinance. Public Works will monitor any reports of alleged violations, issue notices of violations to affected stores, and follow-up with stores to assure compliance. This monitoring will encompass all stores addressed under the Ordinance.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, County Counsel,

The Honorable Board of Supervisors
11/16/2010
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Agricultural Commissioner/Weights and Measures, Internal Services, Public Health, and Public Works Departments.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:td

Enclosures (4)

c: All County Departments
Sanitations Districts if Los Angeles County